

certain vehicles, and prescribing an exception for vehicles drawn by animal power; requiring the keeping of certain lamps on vehicles lighted under certain conditions; providing that it shall be unlawful to operate any vehicle upon the highway with a red light visible directly from the front thereof, with exceptions; prescribing character of and regulating use of brakes, horns and warning devices; providing that every motor vehicle engaged in the transportation of passengers for hire shall be equipped with a fire extinguisher; providing that it shall be unlawful for any person to operate, or permit to be operated, any commercial motor vehicle of over one-ton carrying capacity upon the highway without having a chauffeur's license; making the violation of any provision of this act a misdemeanor, and fixing and providing penalties and punishments; reserving certain powers to governing bodies of cities and towns; providing that the unconstitutionality of any part or parts of this act shall not affect the validity of the remaining parts thereof; repealing all laws or parts of laws in conflict herewith, and declaring an emergency."

Have carefully compared same and find it correctly enrolled.

BOUNDS, Vice-Chairman.

FIFTY-SEVENTH DAY.

(Monday, May 18, 1931.)

The House met at 9 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Minor.

The roll was called, and the following members were present:

Mr. Speaker.	Burns
Adams of Jasper.	of McCulloch.
Adamson.	Carpenter.
Adkins.	Caven.
Akin.	Coltrin.
Albritton.	Cox of Lamar.
Alsup.	Cox of Limestone.
Anderson.	Dale.
Baker.	Daniel.
Barron.	Davis.
Beck.	DeWolfe.
Bedford.	Dodd.
Bond.	Donnell.
Bounds.	Dowell.
Boyd.	Dunlap.
Brice.	Dwyer.
Brooks.	Elliott.
Bryant.	Farmer.
Burns of Walker.	Farrar.

Ferguson.	Magee.
Finn.	Mathis.
Fisher.	Mehl.
Forbes.	Metcalf.
Ford.	Moffett.
Fuchs.	Moore.
Gilbert.	Munson.
Giles.	Murphy.
Goodman.	Nicholson.
Graves.	Olsen.
Greathouse.	O'Quinn.
Grogan.	Patterson.
Hanson.	Petsch.
Hardy.	Pope.
Harman.	Ramsey.
Harrison	Ratliff.
of El Paso.	Ray.
Harrison	Richardson.
of Waller.	Rountree.
Hatchitt.	Sanders.
Herzik.	Satterwhite.
Hill.	Savage.
Hines.	Scott.
Holland.	Shelton.
Hoskins.	Sherrill.
Hubbard.	Smith of Bastrop.
Hughes.	Smith of Wood.
Jackson.	Sparkman.
Johnson	Stephens.
of Dallam.	Stevenson.
Johnson	Steward.
of Dimmit.	Strong.
Johnson of Morris.	Sullivant.
Jones of Shelby.	Tarwater.
Jones of Atascosa.	Terrell
Justiss.	of Val Verde
Kayton.	Towery.
Keller.	Turner.
Kennedy.	Van Zandt.
Laird.	Vaughan.
Lasseter.	Veatch.
Lee.	Wagstaff.
Lemens.	Walker.
Leonard.	Warwick.
Lilley.	Weinert.
Long.	West of Coryell.
McCombs.	West of Cameron.
McDougald.	Wiggs.
McGill.	Wyatt.
McGregor.	Young.

Absent.

Adams of Harris.	Howsley.
Bradley.	Martin.
Coombes.	Morse.
Cunningham.	Westbrook.
Duvall.	

Absent—Excused.

Claunch.	Lockhart.
Engelhard.	Reader.
Hefley.	Rogers.
Holder.	Terrell
Holloway.	of Cherokee.

A quorum was announced present.

Prayer was offered by the Rev. John W. Holt, Chaplain.

LEAVES OF ABSENCE GRANTED.

The following members were granted leaves of absence on account of important business:

Mr. Reader for this morning, on motion of Mr. Mehl.

Mr. Engelhard for today and tomorrow, on motion of Mr. Moffett.

Mr. Adams of Harris for today, on motion of Mr. Vaughan.

Mr. Holloway for today and tomorrow, on motion of Mr. Johnson of Morris.

Mr. Hefley for today, on motion of Mr. Kayton.

Mr. Lockhart for today and tomorrow, on motion of Mr. Olsen.

Mr. Claunch for today, on motion of Mr. Grogan.

Mr. Rogers for today, on motion of Mr. Savage.

Mr. Holder for today, on motion of Mrs. Strong.

The following members were granted leaves of absence on account of illness:

Mr. Terrell of Cherokee for today and the balance of the week, on motion of Mr. Adamson.

Mr. Cunningham for today, on account of illness in his family, on motion of Mr. Leonard.

BILL ORDERED NOT PRINTED.

On motion of Mr. Adams of Jasper, House bill No. 1060 was ordered not printed.

RELATIVE TO USE OF AMERICAN MATERIALS IN PUBLIC BUILDINGS, ETC.

Mr. Duvall offered the following resolution:

H. C. R. No. 66, Relative to use of American materials in road building, etc.

Whereas, Texas industries are suffering from the present depression and many of them are being compelled to lay off employes which has resulted in a serious economic condition both for business interests and persons depending upon them for a livelihood; and

Whereas, The taxpayers of this State are making it possible for the State to engage in a program of highway construction and building construction; and

Whereas, The purchase of American-made materials results in direct benefit to American industry; and

Whereas, It has come to the attention of the Legislature that cement and steel imported from foreign manufacturers has been used exclusively by persons securing contracts for construction work from the State; therefore, be it

Resolved, That it is hereby declared to be the policy of the State of Texas to require the use of American-made materials in the construction of roads, bridges and public buildings, and all State departments and engineers are hereby requested to hereby specify goods of American manufacturers in their specifications for roads, bridges and public buildings.

DUVALL,
PATTERSON.

The resolution was read second time and was adopted.

HOUSE BILL NO. 61 ON PASSAGE TO ENGROSSMENT.

The Speaker laid before the House, as pending business, on its second reading and passage to engrossment,

H. B. No. 61, A bill to be entitled "An Act validating the surveys of all lands heretofore or hereafter made and returned to the General Land Office, vesting the title to lands included within the lines of said surveys, as returned to the General Land Office, in the parties for which same were made, their heirs, successors and assigns creating rules of evidence to protect the title to such surveys, etc., and declaring an emergency."

The bill having heretofore been read second time.

Mr. Wagstaff offered the following amendment to the bill:

Amend House bill No. 61 by striking out Sections 1, 2 and 4 and substituting in lieu thereof the following, and renumber all sections accordingly.

"Section 1. The surveys of all lands heretofore or hereafter made, either actually on the ground or by protraction, and returned to the General Land Office, and upon which patents have issued, or sale and award been made, and all valid grants by former governments, whether surveyed on the ground or by protraction, are hereby declared valid surveys and the titles to the lands in-

cluded within the lines of said surveys are hereby vested in the parties for whom the same were made, their heirs, successors and assigns; provided, however, in all actions at law or equity, involving boundary, title or possession of land, in which the State of Texas shall be a party, wherein the location of any survey or the extent or boundaries thereof shall be in issue, the corners, lines and boundaries thereof, which shall have been recognized by the claimants of the land or the community generally for a period of twenty years or more prior to the date of filing of suit, shall be conclusively presumed to be the original corners, lines and boundaries of said survey.

"Sec. 2. In all cases involving boundary, title or possession of lands where there is sought to be established a vacancy between valid surveys, the field notes of which surveys have been filed in the General Land Office, or the grants are valid grants of a former government, the approved field notes and official maps of the General Land Office shall be evidence as to such vacancy, and if no vacancy appears from the approved field notes or official Land Office maps in existence at the time patents were issued, if said land be patented, or at the time the land was awarded or sold, if said land be not patented, it shall be conclusively presumed that no such vacancy exists. A vacancy is hereby defined to be unappropriated and unsurveyed public domain lying between surveys.

"Sec. 3. In case the location of any of the lands described in Sections 1 and 2 of this act are not delineated and shown on the official maps of the Land Office at the time said lands were patented, sold or awarded, or at the time granted by any former government, then the official maps of the Land Office in use at the time this act goes into effect shall have the force and effect given in Section 2 to the maps referred to therein.

"Sec. 4. The provisions of this act shall also apply to lands surveyed and granted for use and benefit of any State fund or any State institution, and the Land Office maps or approved field notes shall be conclusive evidence in suits to which said State fund or institution shall be a party the same as if they were individuals.

"Sec. 5. No part of this act shall affect pending cases in court or vested rights acquired prior to the pas-

sage of this act, where the question involved is as to whether or not the field notes embrace the lands in controversy; nor shall this act be construed to relieve a purchaser of public lands or any interest therein, from full compliance with the terms and conditions of such contract of purchase."

(Mr. Kayton in the chair.)

Mr. Vaughan moved that the bill be recommitted to the Committee on Public Lands and Buildings.

Mr. Petsch moved the previous question on the pending motion, amendment and the bill and the motion was not seconded.

Question recurring on the motion by Mr. Vaughan, it was lost.

Mr. Long offered the following amendment to the amendment:

Amend the amendment to House bill No. 61 by adding a new section after Section 1, to be known as Section 1a.

"Section 1a. Excess in surveys is defined to be the quantity in excess of the area granted by the certificate or right by virtue of which a survey was made. The owners of surveys containing excess may pay for the excess through the General Land Office, the price per acre to be not less than one dollar (\$1.00) per acre, the improvements if any to be disregarded in fixing the value, and to be paid within two years from the passage of this act or two years from the approval of corrected field notes by the General Land Office showing excess in the survey. On receipt of payment for excess the Land Commissioner shall issue a proper instrument to show the purchase thereof which shall inure to the benefit of the several owners of a survey proportionately to their holdings. The money to be collected under the provision of this act shall be placed to the credit of the public school fund."

LONG,
GRAVES,
SAVAGE.

Mr. Donnell offered the following substitute for the amendment by Mr. Long:

Substitute to amendment to House bill No. 61, Section 1, to be known as Section 1a:

"Section 1a. Excess in surveys is defined to be in quantity in excess of the area granted by the certificate or right by virtue of which a survey

was made. The owners of surveys containing excess shall have the preference and may pay for the excess through the General Land Office, the per acre to be not less than one dollar (\$1.00) per acre, the improvements if any to be disregarded in fixing the value, but not more than the average assessment values of adjacent tracts of land on the last preceding assessment roll. The said owners of excess land shall be given two years from the passage of this act, or two years from the approval of corrected field notes by the General Land Office showing excess in the survey. On receipt of payment for excess the Land Commissioner shall issue a proper instrument to show the purchase thereof which shall inure to the benefit of the several owners of a survey proportionately to their holdings. The money to be collected under the permission of this act shall be placed to the credit of the public school fund."

Question first recurring on the substitute amendment, yeas and nays were demanded.

The amendment was lost by the following vote:

Yeas—53.

Adams of Jasper.	Hughes.
Adamson.	Jones of Shelby.
Akin.	Justiss.
Albritton.	Kayton.
Bounds.	Kennedy.
Boyd.	Laird.
Brice.	Leonard.
Bryant.	Lilley.
Caven.	Long.
Coltrin.	Magee.
Cox of Lamar.	Murphy.
Cox of Limestone.	Olsen.
DeWolfe.	O'Quinn.
Dodd.	Ray.
Donnell.	Savage.
Farmer.	Shelton.
Farrar.	Sherrill.
Ford.	Smith of Bastrop.
Fuchs.	Smith of Wood.
Giles.	Strong.
Goodman.	Terrell.
Grogan.	of Val Verde.
Hanson.	Turner.
Harman.	Van Zandt.
Herzik.	Vaughan.
Holland.	Walker.
Hoskins.	Wiggs.

Nays—55.

Alsup.	Brooks.
Anderson.	Burns of Walker.
Baker.	Burns.
Barron.	of McCulloch.
Bond.	Carpenter.

Daniel.	Lee.
Davis.	McCombs.
Dowell.	McDougald.
Elliott.	McGill.
Ferguson.	Mehl.
Fisher.	Metcalfe.
Forbes.	Moffett.
Gilbert.	Munson.
Graves.	Nicholson.
Greathouse.	Petsch.
Hardy.	Ratliff.
Harrison.	Richardson.
of El Paso.	Scott.
Harrison.	Sparkman.
of Waller.	Stephens.
Hill.	Stevenson.
Hines.	Steward.
Jackson.	Tarwater.
Johnson.	Veatch.
of Dallam.	Wagstaff.
Johnson.	Warwick.
of Dimmit.	Weinert.
Jones of Atascosa.	West of Coryell.
Keller.	Wyatt.
Lasseter.	Young.

Present—Not Voting.

Lemens.

Absent.

Adams of Harris.	McGregor.
Adkins.	Martin.
Beck.	Mathis.
Bedford.	Moore.
Bradley.	Morse.
Cunningham.	Patterson.
Dale.	Pope.
Dunlap.	Ramsey.
Duvall.	Rountree.
Dwyer.	Sanders.
Finn.	Satterwhite.
Hatchitt.	Sullivant.
Howsley.	Towery.
Hubbard.	West of Cameron.
Johnson of Morris.	Westbrook.

Absent—Excused.

Claunch.	Lockhart.
Coombes.	Reader.
Engelhard.	Rogers.
Hefley.	Terrell.
Holder.	of Cherokee.
Holloway.	

Question then recurring on the amendment by Mr. Long, yeas and nays were demanded.

The amendment was adopted by the following vote:

Yeas—62.

Adams of Jasper.	Alsup.
Adamson.	Baker.
Adkins.	Barron.
Akin.	Bond.
Albritton.	Bounds.

Brice.	Jones of Shelby.
Brooks.	Justiss.
Bryant.	Kayton.
Caven.	Kennedy.
Coltrin.	Laird.
Cox of Lamar.	Lasseter.
Daniel.	Lilley.
DeWolfe.	Long.
Dodd.	Magee.
Donnell.	Olsen.
Dowell.	O'Quinn.
Farmer.	Ray.
Ferguson.	Richardson.
Fisher.	Savage.
Fuchs.	Shelton.
Giles.	Sherrill.
Goodman.	Smith of Bastrop.
Graves.	Smith of Wood.
Grogan.	Stephens.
Hanson.	Strong.
Harman.	Terrell
Harrison	of Val Verde.
of Waller.	Van Zandt.
Herzik.	Vaughan.
Holland.	Walker.
Hoskins.	West of Cameron.
Hughes.	Wiggs.

Nays—42.

Anderson.	Lemens.
Boyd.	McCombs.
Burns	McDougald.
of McCulloch.	McGill.
Davis.	Mehl.
Elliott.	Metcalf.
Farrar.	Moffett.
Forbes.	Munson.
Ford.	Murphy.
Gilbert.	Nicholson.
Greathouse.	Petsch.
Hardy.	Ratliff.
Harrison	Scott.
of El Paso.	Sparkman.
Hill.	Steward.
Jackson.	Tarwater.
Johnson	Veatch.
of Dallam.	Wagstaff.
Johnson	Warwick.
of Dimmit.	Weinert.
Jones of Atascosa.	West of Coryell.
Keller.	Wyatt.
Lee.	Young.

Absent.

Adams of Harris.	Dwyer.
Beck.	Finn.
Bedford.	Hatchitt.
Bradley.	Hines.
Burns of Walker.	Howsley.
Carpenter.	Hubbard.
Cox of Limestone.	Johnson of Morris.
Cunningham.	Leonard.
Dale.	McGregor.
Dunlap.	Martin.
Duvall.	Mathis.

Moore.	Satterwhite.
Morse.	Stevenson.
Patterson.	Sullivant.
Pope.	Towery.
Ramsey.	Turner.
Rountree.	Westbrook.
Sanders.	

Absent—Excused.

Claunch.	Lockhart.
Coombes.	Reader.
Engelhard.	Rogers.
Hefley.	Terrell
Holder.	of Cherokee.
Holloway.	

Mr. Cox of Lamar moved to reconsider the vote by which the amendment was adopted and to table the motion to reconsider.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

Yeas—59.

Adams of Jasper.	Harman.
Adamson.	Harrison
Adkins.	of Waller.
Akin.	Herzik.
Alsup.	Hoskins.
Baker.	Jones of Shelby.
Barron.	Justiss.
Bond.	Kennedy.
Bounds.	Laird.
Boyd.	Lilley.
Brice.	Long.
Brooks.	Magee.
Bryant.	McGregor.
Burns of Walker.	Olsen.
Caven.	O'Quinn.
Coltrin.	Ray.
Cox of Lamar.	Richardson.
Daniel.	Savage.
DeWolfe.	Scott.
Dodd.	Sherrill.
Donnell.	Smith of Bastrop.
Dowell.	Smith of Wood.
Elliott.	Stephens.
Farmer.	Strong.
Ferguson.	Terrell
Fisher.	of Val Verde.
Giles.	Van Zandt.
Goodman.	Vaughan.
Graves.	Walker.
Grogan.	Wiggs.
Hanson.	

Nays—43.

Anderson.	Fuchs.
Burns	Gilbert.
of McCulloch.	Greathouse.
Davis.	Hardy.
Farrar.	Harrison
Forbes.	of El Paso.
Ford.	Hill.

Hines.	Moore.
Jackson.	Munson.
Johnson	Nicholson.
of Dallam.	Petsch.
Johnson	Pope.
of Dimmit.	Ratliff.
Jones of Atascosa.	Shelton.
Keller.	Sparkman.
Lasseter.	Steward.
Lee.	Tarwater.
Lemens.	Veatch.
McCombs.	Wagstaff.
McDougald.	Warwick.
McGill.	Weinert.
Mehl.	West of Coryell.
Metcalfe.	Wyatt.
Moffett.	Young.

Absent.

Adams of Harris.	Johnson of Morris.
Albritton.	Leonard.
Beck.	Martin.
Bedford.	Mathis.
Bradley.	Morse.
Carpenter.	Murphy.
Cox of Limestone.	Patterson.
Cunningham.	Ramsey.
Dale.	Rountree.
Dunlap.	Sanders.
Duvall.	Satterwhite.
Dwyer.	Stevenson.
Finn.	Sullivant.
Hatchitt.	Towery.
Holland.	Turner.
Howsley.	West of Cameron.
Hubbard.	Westbrook.
Hughes.	

Absent—Excused.

Claunch.	Lockhart.
Coombes.	Reader.
Englehard.	Rogers.
Hefley.	Terrell
Holder.	of Cherokee.
Holloway.	

Mr. McGill offered the following amendment to the amendment:

Amend House bill No. 61 by adding after Section 5, as amended, a new Section 5a as follows:

"Provided, however, that the provisions of this act shall not apply to any of the bancos along the Rio Grande eliminated by the International Boundary Commission under and by virtue of the provisions of any treaty between the United States and the Republic of Mexico."

McGILL,
HARRISON of El Paso.

The amendment was adopted.

Mr. Farmer offered the following amendment to the amendment:

Amend substitute amendment to House bill No. 61 by substituting the words "prima facie" for the word "conclusively" in Sections 1 and 2.

FARMER,
GRAVES.

Mr. Petsch moved the previous question on the pending amendment and the bill, and the main question was ordered.

Question first recurring on the amendment by Mr. Farmer, it was lost.

Question next recurring on the amendment by Mr. Wagstaff, it was adopted by the following vote:

Yeas—71.

Adams of Jasper.	Long.
Adkins.	McCombs.
Albritton.	McGill.
Anderson.	Mathis.
Beck.	Metcalfe.
Bounds.	Moffett.
Boyd.	Moore.
Brice.	Munson.
Burns	Murphy.
of McCulloch.	Olsen.
Carpenter.	Petsch.
Dale.	Pope.
Davis.	Ratliff.
DeWolfe.	Ray.
Donnell.	Rountree.
Dwyer.	Satterwhite.
Ferguson.	Scott.
Forbes.	Shelton.
Fuchs.	Sparkman.
Gilbert.	Stephens.
Greathouse.	Steward.
Hardy.	Strong.
Harrison	Tarwater.
of El Paso.	Terrell
Hatchitt.	of Val Verde.
Hill.	Towery.
Hines.	Turner.
Holland.	Van Zandt.
Howsley.	Veatch.
Hughes.	Wagstaff.
Jackson.	Walker.
Johnson	Warwick.
of Dimmit.	Weinert.
Jones of Shelby.	West of Coryell.
Jones of Atascosa.	West of Cameron.
Keller.	Wyatt.
Kennedy.	Young.
Lee.	

Nays—33.

Adamson.	Burns of Walker.
Akin.	Caven.
Alsop.	Coltrin.
Baker.	Cox of Lamar.
Bond.	Cox of Limestone.

Daniel.	Harman.
Dodd.	Herzik.
Dowell.	Hoskins.
Elliott.	Laird.
Farmer.	Lilley.
Farrar.	Magee.
Fisher.	Richardson.
Giles.	Sherrill.
Goodman.	Smith of Bastrop.
Graves.	Smith of Wood.
Grogan.	Vaughan.
Hanson.	

Present—Not Voting.

Nicholson.

Absent.

Adams of Harris.	Lasseter.
Barron.	Lemens.
Bedford.	Leonard.
Bradley.	McDougald.
Brooks.	McGregor.
Bryant.	Martin.
Cunningham.	Mehl.
Dunlap.	Morse.
Duvall.	O'Quinn.
Finn.	Patterson.
Ford.	Ramsey.
Harrison	Sanders.
of Waller.	Savage.
Hubbard.	Stevenson.
Johnson	Sullivant.
of Dallam.	Westbrook.
Johnson of Morris.	Wiggs.
Justiss.	

Absent—Excused.

Claunch.	Lockhart.
Coombes.	Reader.
Engelhard.	Rogers.
Hefley.	Terrell
Holder.	of Cherokee.
Holloway.	

Question then recurring on the engrossment of the bill, yeas and nays were demanded.

House bill No. 61 was then passed to engrossment by the following vote:

Yeas—75.

Adams of Jasper.	Donnell.
Adamson.	Dwyer.
Adkins.	Ferguson.
Albritton.	Forbes.
Anderson.	Fuchs.
Baker.	Gilbert.
Bedford.	Greathouse.
Bounds.	Hatchitt.
Boyd.	Hardy.
Burns	Harrison
of McCulloch.	of El Paso.
Carpenter.	Herzik.
Dale.	Hill.
Davis.	Hines.
DeWolfe.	Holland.

Howesley.	Richardson.
Hughes.	Rountree.
Jackson.	Satterwhite.
Johnson	Scott.
of Dimmit.	Shelton.
Jones of Shelby.	Sparkman.
Jones of Atascosa.	Stevenson.
Keller.	Steward.
Kennedy.	Strong.
Lee.	Tarwater.
Long.	Terrell
McCombs.	of Val Verde.
McGill.	Towery.
Mathis.	Turner.
Metcalfe.	Van Zandt.
Moffett.	Veatch.
Moore.	Wagstaff.
Munson.	Walker.
Murphy.	Warwick.
Olsen.	Weinert.
Patterson.	West of Coryell.
Petsch.	West of Cameron.
Pope.	Wyatt.
Ratliff.	Young.
Ray.	

Nays—30.

Akin.	Farrar.
Alsup.	Giles.
Bond.	Goodman.
Brice.	Graves.
Brooks.	Grogan.
Burns of Walker.	Hanson.
Caven.	Harman.
Coltrin.	Hoskins.
Cox of Lamar.	Laird.
Cox of Limestone.	Lilley.
Daniel.	Magee.
Dodd.	Smith of Bastrop.
Dowell.	Smith of Wood.
Elliott.	Stephens.
Farmer.	Vaughan.

Present—Not Voting.

Fisher. Nicholson.

Absent.

Adams of Harris.	Kayton.
Barron.	Lasseter.
Beck.	Lemens.
Bradley.	Leonard.
Bryant.	McDougald.
Cunningham.	McGregor.
Dunlap.	Martin.
Duvall.	Mehl.
Finn.	Morse.
Ford.	O'Quinn.
Harrison	Ramsey.
of Waller.	Sanders.
Hubbard.	Savage.
Johnson	Sherrill.
of Dallam.	Sullivant.
Johnson of Morris.	Westbrook.
Justiss.	Wiggs.

Absent—Excused.

Claunch.	Lockhart.
Coombes.	Reader.
Engelhard.	Rogers.
Hefley.	Terrell
Holder.	of Cherokee.
Holloway.	

MOTION TO TAKE UP HOUSE
BILL NO. 61.

Mr. Wagstaff moved that the constitutional rule requiring bills to be read on three several days be suspended and that House bill No. 61 be placed on its third reading and final passage.

The motion was lost (not receiving the necessary four-fifths vote) by the following vote:

Yeas—86.

Adams of Jasper.	Kennedy.
Adamson.	Lee.
Adkins.	Lemens.
Albritton.	Long.
Anderson.	McCombs.
Beck.	McGill.
Bedford.	Mathis.
Bounds.	Metcalfe.
Boyd.	Moffett.
Brice.	Moore.
Burns	Munson.
of McCulloch.	Murphy.
Carpenter.	Nicholson.
Dale.	Olsen.
Davis.	O'Quinn.
DeWolfe.	Patterson.
Donnell.	Petsch.
Dunlap.	Pope.
Dwyer.	Ratliff.
Elliott.	Ray.
Ferguson.	Richardson.
Finn.	Sanders.
Forbes.	Satterwhite.
Fuchs.	Savage.
Gilbert.	Scott.
Giles.	Shelton.
Greathouse.	Smith of Bastrop.
Hardy.	Sparkman.
Harrison	Stevenson.
of El Paso.	Steward.
Hatchitt.	Strong.
Herzik.	Tarwater.
Hill.	Terrell of Val Verde.
Hines.	Towery.
Holland.	Turner.
Howsley.	Van Zandt.
Hughes.	Veatch.
Jackson.	Wagstaff.
Johnson	Walker.
of Dallam.	Warwick.
Johnson	Weinert.
of Dimmit.	West of Coryell.
Jones of Shelby.	Wiggs.
Jones of Atascosa.	Wyatt.
Keller.	Young.

Nays—28.

Akin.	Farrar.
Alsup.	Fisher.
Baker.	Goodman.
Bond.	Graves.
Brooks.	Grogan.
Burns of Walker.	Hanson.
Caven.	Harman.
Coltrin.	Hoskins.
Cox of Lamar.	Laird.
Cox of Limestone.	Lilley.
Daniel.	Magee.
Dodd.	Smith of Wood.
Dowell.	Stephens.
Farmer.	Vaughan.

Absent.

Adams of Harris.	Leonard.
Barron.	McDougald.
Bradley.	McGregor.
Bryant.	Martin.
Cunningham.	Mehl.
Duvall.	Morse.
Ford.	Ramsey.
Harrison	Rountree.
of Waller.	Sherrill.
Hubbard.	Sullivant.
Johnson of Morris.	West of Cameron.
Justiss.	Westbrook.
Lasseter.	

Absent—Excused.

Claunch.	Lockhart.
Coombes.	Reader.
Engelhard.	Rogers.
Hefley.	Terrell
Holder.	of Cherokee.
Holloway.	

HOUSE BILL NO. 1011 WITH SEN-
ATE AMENDMENTS.

Mr. Satterwhite called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 1011, A bill to be entitled "An Act authorizing independent school districts, by the exercise of the right of eminent domain, to acquire the title to streets and alleys for certain purposes under certain prescribed rules and regulations, and declaring an emergency."

The Speaker laid the bill before the House, and the Senate amendments were read.

On motion of Mr. Satterwhite, the House concurred in the Senate amendments by the following vote:

Yeas—104.

Adams of Jasper.	Akin.
Adamson.	Albritton.
Adkins.	Alsup.

Anderson.	Kennedy.
Baker.	Lasseter.
Bounds.	Lee.
Boyd.	Lemens.
Brice.	Leonard.
Brooks.	Lilley.
Bryant.	Long.
Burns of Walker.	McDougald.
Burns	McGill.
of McCulloch.	Magee.
Carpenter.	Mathis.
Coltrin.	Mehl.
Cox of Lamar.	Metcalf.
Cox of Limestone.	Moffett.
Dale.	Moore.
Daniel.	Munson.
Dodd.	Murphy.
Dowell.	Nicholson.
Dwyer.	Olsen.
Elliott.	Patterson.
Farmer.	Petsch.
Farrar.	Pope.
Ferguson.	Ratliff.
Fisher.	Richardson.
Forbes.	Rountree.
Fuchs.	Satterwhite.
Gilbert.	Savage.
Giles.	Shelton.
Goodman.	Sherrill.
Graves.	Smith of Bastrop.
Greathouse.	Smith of Wood.
Grogan.	Sparkman.
Hanson.	Stephens.
Hardy.	Stevenson.
Harman.	Steward.
Harrison	Strong.
of El Paso.	Sullivant.
Harrison	Terrell
of Waller.	of Val Verde.
Herzik.	Towery.
Hill.	Turner.
Hines.	Van Zandt.
Hoskins.	Vaughan.
Hughes.	Veatch.
Jackson.	Wagstaff.
Johnson	Walker.
of Dimmit.	Warwick.
Johnson of Morris.	Weinert.
Jones of Shelby.	West of Coryell.
Jones of Atascosa.	West of Cameron.
Justiss.	Wyatt.
Keller.	

Nays—1.

Wiggs.

Absent.

Adams of Harris.	Donnell.
Barron.	Dunlap.
Beck.	Duvall.
Bedford.	Finn.
Bond.	Ford.
Bradley.	Hatchitt.
Caven.	Holland.
Cunningham.	Howsley.
Davis.	Hubbard.
DeWolfe.	Johnson of Dallam.

Laird.	Ray.
McCombs.	Sanders.
McGregor.	Scott.
Martin.	Tarwater.
Morse.	Westbrook.
O'Quinn.	Young.
Ramsey.	

Absent—Excused.

Claunch.	Lockhart.
Coombes.	Reader.
Engelhard.	Rogers.
Hefley.	Terrell
Holder.	of Cherokee.
Holloway.	

REQUEST OF THE SENATE
GRANTED.

On motion of Mr. Harman, the House granted the request of the Senate for the appointment of a free conference committee on Senate bill No. 5.

BILL ORDERED NOT PRINTED.

(By Unanimous Consent.)

On motion of Mr. Gilbert, Senate bill No. 592 was ordered not printed.

MESSAGE FROM THE SENATE.

Senate Chamber,
Austin, Texas, May 18, 1931.

Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

S. B. No. 409, A bill to be entitled "An Act fixing the compensation of district attorneys in each judicial district in this State containing five or more counties having a combined population, according to the Fifteenth Census of the United States, of the year 1930, of not less than 52,080, nor in excess of 52,090; providing how the same shall be paid; providing for an assistant district attorney in each such district, and declaring an emergency."

S. B. No. 440, A bill to be entitled "An Act providing that in every case appealed from the Industrial Accident Board to a district or county court, the clerk of such court shall, within twenty days after the filing thereof, mail to the Industrial Accident Board a notice of such filing, and shall within twenty days after the judgment is rendered in such suit, mail to the Industrial Accident Board a certified copy thereof; and

providing that the attorney preparing judgments in such cases shall file the original and one copy; and providing a penalty for failure to comply with this act, and declaring an emergency."

S. B. No. 618, A bill to be entitled "An Act to amend Article 1641 by adding thereto another section, to be known as Article 1641a, providing for the making of audits of counties of a certain population by grand juries and the State Auditor; providing generally the means and manner thereof, and declaring an emergency."

H. B. No. 434, A bill to be entitled "An Act amending Chapter 92 of the Acts of the First Called Session of the Forty-first Legislature of the State of Texas, and declaring an emergency."

H. B. No. 87, A bill to be entitled "An Act providing that whenever any person shall procure the issuance of a policy of insurance on his or her life in any legal reserve life insurance company, and designate in writing filed with the company the beneficiary to receive the proceeds thereof, the company issuing such policy shall, in the absence of the receipt by it of notice of an adverse claim to the proceeds of the policy from one having a bona fide legal claim to such proceeds, or a part thereof, pay such proceeds becoming due on the death of the insured to the person so designated as beneficiary, etc., and declaring an emergency."

H. B. No. 349, A bill to be entitled "An Act fixing the salary of the county superintendent of public instruction in a certain class of counties classified according to population, said salary to be paid in the same manner and out of the same funds as provided for county superintendent under the laws of this State, and declaring an emergency."

H. B. No. 356, A bill to be entitled "An Act to amend Article 4014, Revised Civil Statutes of 1925, which regulates reports required to be made to the Railroad Commission by corporations, companies and persons issuing free transportation, by providing that such report shall be made as and when requested by the Railroad Commission of Texas, and fixing a penalty for violation of the law, repealing all laws in conflict herewith, and declaring an emergency."

H. B. No. 375, A bill to be entitled "An Act to amend Sections 1 and 2 of Chapter 304, page 678 et seq., of

the Acts of the Regular Session of the Forty-first Legislature of the State of Texas, so as to include onion and spinach seed and include in addition to the other data to be shown the year in which such seed were grown, and declaring an emergency."

H. B. No. 417, A bill to be entitled "An Act to amend Article 1536, Revised Statutes of 1925, prescribing penalties for the transaction of business by foreign corporations in this State without obtaining a permit to do business in Texas, and declaring an emergency."

S. B. No. 314, A bill to be entitled "An Act providing for the improvement and repair of Sam Houston home and the grounds adjacent thereto in Huntsville, and for the maintenance of same; providing means and manner thereof; making appropriation therefor, and declaring an emergency."

S. B. No. 511, A bill to be entitled "An Act authorizing and directing the Commissioner of the General Land Office of the State of Texas to deed, convey, assign and/or transfer all right, title and interest of whatsoever class, kind or character, directly or indirectly, belonging to the State of Texas, in and to that tract of land known as the "Wayside State Park, Wayside, Texas, 120 acres," situated in the Palo Duro Canyon, Armstrong county, in the State of Texas, to H. G. Bowe of Swisher county, Texas, and declaring an emergency."

H. B. No. 704, A bill to be entitled "An Act to provide that no officer or employe of the State of Texas, any county, city, town, or village, or any municipality or political subdivision, using or accepting the benefits of any free pass or franking privilege of any railroad, interurban, motor bus or other transportation line, shall charge or collect from the State, county, city, town, village, municipality, or political subdivision, the amount he would have paid had he not used such free pass; fixing penalty, and declaring an emergency."

H. B. No. 1011, A bill to be entitled "An Act authorizing independent school districts, by the exercise of the right of eminent domain, to acquire the title to streets and alleys for certain purposes under certain prescribed rules and regulations, and declaring an emergency," with amendments.

H. B. No. 1015, A bill to be entitled "An Act to amend Articles 1740 and 1741 of the Revised Civil Statutes of Texas, 1925, and declaring an emergency."

H. B. No. 1046, A bill to be entitled "An Act providing for the employment of rural school supervisors in certain counties in lieu of teachers' institutes; prescribing the duties of said supervisors; prescribing salaries to be paid such supervisors; providing other things incidental to the purpose of this act, and declaring an emergency."

S. B. No. 621, A bill to be entitled "An Act making an emergency appropriation out of the general revenue of the State for the purposes named herein for the balance of the fiscal year ending August 31, 1931, and declaring an emergency."

S. B. No. 628, A bill to be entitled "An Act to amend Article 602 of the Penal Code, as amended, making it an offense for any husband to willfully desert, neglect or refuse to provide for the support and maintenance of his wife, who may be in necessitous circumstances, or any parent who shall willfully desert, neglect, or refuse to provide for the support and maintenance of any child, under a certain age; prescribing fines, penalties, and punishment, and declaring an emergency."

Concurred in House amendments to:

Senate bill No. 410, yeas 28, nays 0.

Senate bill No. 506, yeas 28, nays 0.

Senate bill No. 603, yeas 28, nays 0.

Adopted the conference committee report on Senate bill No. 83 by the following vote: Yeas 28, nays 0.

Granted the request of the House for a conference committee on House bill No. 150. The following have been appointed on the part of the Senate:

Senators Hornsby, Martin, Neal, Rawlings and Poage.

Refused to concur in House amendments to Senate bill No. 5, and requests the appointment of a conference committee: The following have been appointed on part of the Senate:

Senators Purl, Hornsby, DeBerry, Woodruff and Loy.

The Senate has passed

S. B. No. 629, A bill to be entitled "An Act providing for a rural school supervisor in certain counties in lieu of teachers' institutes; prescribing the duties of said supervisor; pro-

viding for visits to schools in the county and work in co-operation with teachers; prescribing the salary of said supervisor and how it shall be paid; providing other things incidental to said purpose, and declaring an emergency."

Respectfully,

BOB BARKER,
Secretary of the Senate.

BILLS AND RESOLUTIONS SIGNED BY THE SPEAKER.

The Speaker signed, in the presence of the House, after giving due notice thereof and their captions had been read severally, the following enrolled bills and resolutions:

H. B. No. 353, "An Act to amend Article 1811, Revised Civil Statutes of 1925, so as to provide for the appointment by the Court of Criminal Appeals of the State Prosecuting Attorney before said court, prescribing the duties, qualifications and term of office of said attorney; transferring all duties and matters now provided by law for the 'Assistant State Prosecuting Attorney' to the State Prosecuting Attorney, and declaring an emergency."

H. B. No. 440, "An Act to amend Article 7272, of Chapter 8, Title 122, of the Revised Civil Statutes of 1925, relating to liability of property for taxes so as to provide that a person may pay on a part of the property assessed without being required to pay on all of the property assessed; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

H. B. No. 504, "An Act to amend Article 3943 of the 1925 Revised Civil Statutes of the State of Texas, which article relates to the fees of office of county treasurers, providing for more adequate compensation for such treasurers in certain counties; providing for assistants for such treasurers; fixing a maximum of compensation for such assistants, and declaring an emergency."

S. B. No. 410, "An Act authorizing the commissioners court of Jack county, Texas, to issue bonds of said county for the purpose of funding or refunding indebtedness incurred for road and bridge purposes, and to levy a tax in payment thereof, and declaring an emergency."

S. B. No. 437, "An Act creating Lower Rio Grande Water Conservation District of Texas under authority

of Section 59 of Article 16 of the Constitution of the State, with powers of government and authority to exercise such rights, privileges and functions as are conferred by said Section 59 of Article 16, etc., and declaring an emergency."

H. B. No. 1022, "An Act amending Article 879 of the Penal Code of Texas, 1925, as amended by Chapter 215, Acts Fortieth Legislature, by amending Article 879a created by said Chapter 215, so as to fix an open season for hunting, taking or killing wild ducks, wild geese, wild brant, wild snipe, wild gallinules, wild coot or mudhen, conforming to Federal laws, and declaring an emergency."

H. B. No. 1025, "An Act authorizing and directing the Commissioner of the General Land Office to convey, by proper instrument, all the right, title and interest of the State of Texas in and to four certain described tracts of land situated in Kerr county, Texas, to designated persons, said tracts having heretofore been donated to the State for park purposes, but no improvement made thereon, and reciting a failure of consideration, and declaring an emergency."

H. B. No. 1028, "An Act authorizing the commissioners courts of counties having not less than 3690 and not more than 4000 inhabitants, according to the last available Federal census, to appropriate and expend a sum not exceeding \$7500 to be used over a period of five years for exterminating predatory animals, and declaring an emergency."

H. B. No. 1048, "An Act authorizing the appointment of an investigator in Tom Green county, Texas, by the district attorney of the Fifty-first Judicial District; fixing the compensation of such investigator and the amount of expense allowed him, and providing a method for the payment thereof; repealing House bill No. 43 of the Acts of the Regular Session of the Forty-second Legislature, and declaring an emergency."

S. B. No. 603, "An Act to amend Chapter 78 of the Local and Special Laws enacted by the Thirty-sixth Legislature at its Regular Session in 1919, same being a special road law for Erath county, and declaring an emergency."

S. B. No. 506, "An Act providing that constables in precincts of a certain population, shall not be entitled to have deputies, and providing for additional deputy sheriffs in said counties; prescribing the number and com-

pensation of said deputies, and for their appointment, and declaring an emergency."

S. C. R. No. 1, Adopting Joint Rules of the House and Senate.

S. C. R. No. 52, Granting certain judge leave of absence.

H. C. R. No. 58, Relative to consolidating certain State departments.

H. C. R. No. 64, Relative to correcting House bill No. 905.

(Speaker in the chair.)

CONFERENCE COMMITTEE REPORT ON SENATE CONCURRENT RESOLUTION NO. 45.

Mr. Holloway, Chairman, submitted the following conference committee report on Senate concurrent resolution No. 45:

Committee Room,

Austin, Texas, May 15, 1931.

Hon. Edgar E. Witt, President of the Senate, and Hon. Fred H. Minor, Speaker of the House of Representatives.

Gentlemen: We, your conference committee on Senate concurrent resolution No. 45, appointed by your respective bodies to adjust the differences between the House and the Senate on same, have had the same under consideration and beg leave to report that we have adjusted and agreed upon the differences between the two houses and recommend the following:

That the original resolution, with committee amendment No. 1, adopted by the House, be, and the same is the report of this committee—that is to say that this committee has eliminated and stricken from the resolution committee amendment No. 2, adopted by the House, and recommends the adoption of the original resolution with committee amendment No. 1.

Respectfully submitted,

HOLBROOK,
WOODWARD,
COUSINS,
HOPKINS,

On the part of the Senate.

DeWOLFE,
McCOMBS,
JOHNSON of Dimmit,
HOWSLEY,

On the part of the House.

Mr. DeWolfe moved that the report be adopted.

The motion was lost by the following vote:

Yeas—48.

Adams of Jasper.	Jones of Shelby.
Adamson.	Johnson of Dimmit.
Adkins.	Justiss.
Albritton.	Kayton.
Alsup.	Leonard.
Bounds.	McGill.
Boyd.	Mathis.
Carpenter.	Moore.
Coltrin.	Munson.
DeWolfe.	Murphy.
Donnell.	Ratliff.
Elliott.	Ray.
Farmer.	Satterwhite.
Farrar.	Savage.
Ford.	Smith of Wood.
Gilbert.	Terrell
Goodman.	of Val Verde.
Greathouse.	Turner.
Harrison	Van Zandt.
of El Paso.	Veatch.
Herzik.	Wagstaff.
Hill.	Walker.
Holland.	Warwick.
Hubbard.	Wiggs.
Jackson.	Young.

Nays—64.

Akin.	Hughes.
Baker.	Johnson
Barron.	of Dallam.
Beck.	Jones of Atascosa.
Bond.	Kennedy.
Brice.	Laird.
Brooks.	Lasseter.
Burns of Walker.	Lee.
Burns	Lilley.
of McCulloch.	Long.
Caven.	McCombs.
Cox of Lamar.	McDougald.
Cox of Limestone.	McGregor.
Dale.	Magee.
Daniel.	Mehl.
Davis.	Moffett.
Dodd.	Olsen.
Dowell.	O'Quinn.
Dwyer.	Patterson.
Ferguson.	Pope.
Fisher.	Scott.
Forbes.	Shelton.
Fuchs.	Sherrill.
Giles.	Smith of Bastrop.
Graves.	Sparkman.
Grogan.	Stephens.
Hatchitt.	Steward.
Hanson.	Strong.
Hardy.	Tarwater.
Harman.	Vaughan.
Harrison	Weinert.
of Waller.	West of Coryell.
Hines.	Wyatt.
Hoskins.	

Present—Not Voting.

Nicholson.

Absent.

Adams of Harris.	Martin.
Anderson.	Metcalfe.
Bedford.	Morse.
Bradley.	Petsch.
Bryant.	Ramsey.
Cunningham.	Richardson.
Dunlap.	Rountree.
Duvall.	Sanders.
Finn.	Stevenson.
Howsley.	Sullivant.
Johnson	Towery.
of Morris.	West of Cameron.
Keller.	Westbrook.
Lemens.	

Absent—Excused.

Claunch.	Lockhart.
Coombes.	Reader.
Engelhard.	Rogers.
Hefley.	Terrell
Holder.	of Cherokee.
Holloway.	

Mr. DeWolfe moved that a new conference committee be appointed on the part of the House and Senate to adjust the differences on the resolution.

The motion prevailed.

CONFERENCE COMMITTEE REPORT ON SENATE BILL NO. 83.

Mr. McCombs, chairman, submitted the following conference committee report on Senate bill No. 83:

Committee Room,

Austin, Texas, May 15, 1931.

Hon. Edgar Witt, President of the Senate, and Hon. F. H. Minor, Speaker of the House of Representatives.

Gentlemen: The undersigned free conference committee, appointed to consider the differences between the House and Senate on Senate bill No. 83, beg leave to report as follows:

We recommend that House amendment No. 1 and House amendment No. 2 and House amendment No. 3 be not adopted.

We recommend that the bill be amended by striking out the words "who shall be a certified public accountant" in lines 34 and 35, page 3, and that House amendments Nos. 4 and 5 be not adopted.

We recommend that in lieu of House amendment No. 6 the figures "\$6000" be substituted for the figures "\$7500" in line 24, page 4, Section 3;

and that in lieu of House amendment No. 7 the figures "\$333.33" be substituted for the figures "\$400" in line 25 of Section 3, page 4; and that amendment No. 8 be not adopted.

We recommend that the bill be amended by adding a new section, to be known as Section 3a, as follows:

"3a. Each examiner and assistant examiner, before entering upon the duties of his appointment, shall take and file in the office of the Secretary of State an oath to support the Constitution of this State, to faithfully demean himself in office, to make fair and impartial examinations, and that he will not accept as presents or emoluments any pay, directly or indirectly, for the discharge of his duty, other than the remuneration fixed and accorded to him by law, and that he will not reveal the condition of, nor any information secured in the course of any examination of any corporation, firm or person examined by him, to anyone except the members of the Board of Insurance Commissioners, or their authorized representatives, or when required as witness in court.

"Every such examiner shall enter into a bond, payable to the State, in the sum of \$10,000, and every assistant examiner shall enter into a bond in the sum of \$5000, to be approved by the Commissioner and deposited in the office of the State Comptroller, conditioned that he will faithfully perform his duties as such examiner.

"In case any such examiner or assistant examiner shall knowingly make any false report or give any information in violation of law relative to any such examination of any corporation, firm or person so examined, any such corporation, firm or person shall have a right of action on such bond for his injuries in a suit brought in the name of the State at the relation of the injured party."

We recommend that the words "every assistant examiner shall be an expert accountant and must have had at least five years' practical experience" at the end of Section 3 be stricken out.

We recommend that a new section be added to the bill, to be known as Section 3b, to read as follows:

"3b. All sums collected in pursuance of this act and paid into the insurance examination fund are hereby

appropriated for the payment of the salaries and expenses provided for in this act for the fiscal years ending August 31, 1932 and 1933, respectively."

We recommend that the caption of the bill be amended to read as follows:

"A bill to be entitled 'An Act amending Articles 3920 and 4690 of the Revised Civil Statutes of Texas, 1925; providing for the appointment of insurance examiner and assistants and of an actuary by the chairman of the Board of Insurance Commissioners; and requiring such examiner and assistants to give bond; and providing for the examination of all corporations, firms and persons transacting insurance business of any kind in this State; and for assessing and collecting the cost of such examination and of complying with this act, and with the laws relating to such examination, and making appropriations therefor, and declaring an emergency.'"

PURL,
HOLBROOK,
STEVENSON,
WOODRUFF,

On the part of the Senate;

McCOMBS,
BEDFORD,
SAVAGE,
TERRELL of Val Verde,
LEMENS,

On the part of the House.

On motion of Mr. McCombs, the report was adopted.

HOUSE BILL NO. 835 ON SECOND READING.

On motion of Mr. Van Zandt, the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment,

H. B. No. 835, A bill to be entitled "An Act relating to Depositors' Guaranty Fund by calling attention to the fact that certain sums of money have been on deposit for several years with the State Treasury and on deposit with certain banks over the State, which funds rightfully belong to depositors of the defunct banks named herein and to member banks who had placed in the hands of the State Banking Commissioner the aforementioned funds as a guaranty fund for

the protection of their depositors, and providing for the appointment of a legislative committee of five of the Forty-second Legislature, etc., and declaring an emergency."

The Speaker laid the bill before the House, and it was read second time.

Mr. Van Zandt offered the following (committee) amendment to the bill:

Amend House bill No. 835 by striking out all below the enacting clause and substituting in lieu thereof the following:

Section 1. Whereas, there are large sums of money, to-wit, approximately \$466,000 in the State Treasury and approximately \$1,226,000 in possession of the Banking Commissioner of Texas; which said funds were created and accumulated under the Depositors' Guaranty Fund Law; and

Sec. 2. Whereas, the aforesaid Depositors' Guaranty Fund Law was repealed by the Legislature of Texas more than four years ago; and the aforesaid funds have been subject to distribution by the State Banking Board of Texas since the repeal of said law; and

Sec. 3. Whereas, of the aforesaid total sum there are depositors of nine failed banks whose deposits are secured by the Depositors' Guaranty Fund, and such depositors' claims remaining unpaid amount to \$117,017.31; and

Sec. 4. Whereas, the remaining \$1,575,000 belongs and should be paid to the banks, members of the Depositors' Guaranty Fund system of banking, in proportion to the amount contributed by each.

Sec. 5. Whereas, the State Banking Board of Texas, a governmental agency, on the 17th day of April, A. D. 1931, passed an order providing for the distribution of the aforesaid sums of money.

Sec. 6. Whereas, the order of the State Banking Board aforesaid provides for a proper, legal and equitable distribution of the funds involved.

Sec. 7. That all money or moneys hereinafter specifically described in the hands of the Banking Commissioner of Texas, or in his possession, or subject to his control, wherever the same be situated, be immediately paid to the State Treasurer of Texas as bailee for the Depositors' Guaranty Fund, to-wit:

(a) Any sum now in his hands, or under his control, which represents the unused part of money withdrawn from the Guaranty Fund (the one-fourth in the Treasury) with which to pay depositors of failed banks whose deposits were secured by the Depositors' Guaranty Fund; this fund appropriates \$238,760.84.

(b) Any sum now in his hands, or under his control, which represents dividends from the assets of liquidated banks whose depositors were paid with funds withdrawn from the Depositors Guaranty Fund (the one-fourth in the Treasury) to which the depositors whose deposits were so paid would have been entitled as general creditors of such failed banks; this fund amounts to approximately \$496,214.99.

(c) Any sum now in his hands, or under his control, to which depositors whose claims were secured by the Depositors' Guaranty Fund would have been entitled from the assets of liquidated failed banks as general creditors of such failed banks but for the fact that such depositors were paid with money withdrawn from the Depositors' Guaranty Fund (the one-fourth in the Treasury); the sum to which the guaranty fund depositors would have been entitled amounts to approximately \$490,739.63.

(d) Any sum representing interest earned by the above funds set out in (a), (b), and (c), above, and now on hand.

(e) Any accretion to said funds from whatever source derived.

Sec. 8. That all depositors claims, real or pretended, against the Depositors' Guaranty Fund undisposed of at this time are disallowed; and where any reservation has been made by reason of such claims the same shall be paid to the State Treasurer as bailee for the Depositors' Guaranty Fund.

That the accounts kept by the Banking Commissioner of Texas, with banks formerly in the Depositors' Guaranty Fund system, showing miscellaneous charges and credits made and entered upon the accounts of such banks by reason of the failure and liquidation of other banks and which do not come under the classification herein otherwise referred to, shall be cancelled, and no longer held as a liability or an asset of any such banks.

Sec. 9. That the Banking Commissioner of Texas immediately furnish the Attorney General a complete list certified by him to be true and correct, showing the name of each depositor of the banks hereinafter named, together with the last known address of each such depositor, whose deposits have been approved by him as payable out of the Depositors' Guaranty Fund, the amount of each deposit so approved and the balance remaining unpaid on each deposit.

The banks whose non-interest bearing unsecured depositors are entitled to be paid out of the Depositors' Guaranty Fund and who have not been paid in full are as follows:

Commercial Guaranty State Bank of Longview,
Commercial State Bank of Cisco,
Altoga State Bank of Altoga,
Farmers & Merchants State Bank of Mt. Calm,
Guaranty State Bank of Trinidad,
Farmers State Bank of Kemp,
Guaranty State Bank of Gunter,
Addison State Bank of Addison,
First State Bank of Belton.

Sec. 10. The Attorney General, as chairman of the State Banking Board, shall, immediately upon the receiving of said list, issue vouchers on the State Treasurer as bailee for such Depositors' Guaranty Fund for the amount of each depositor's approved net claim against the Depositors' Guaranty Fund remaining unpaid and mail same to each such depositor, and the State Treasurer, as such bailee, shall, when said voucher is presented, properly endorsed by the payee therein, pay same in cash from any funds in the State Treasury in his possession as bailee of the Depositors' Guaranty Fund. The form of said voucher shall be substantially as follows:

Austin, Texas, April 17, 1931.
The State Banking Board of Texas
Pay to the order of.....
\$..... (dollars).
To Charley Lockhart, State Treasurer, bailee.
Depositors' Guaranty Fund, Austin, Texas.
The State Banking Board,
By.....
Attorney General, Chairman.

Endorsement:

When paid, I accept the sum for which this voucher is drawn in full satisfaction of my claim against the Depositors' Guaranty Fund of Texas.

Sec. 11. That the three-fourths demand deposit to the credit of the State Banking Board in the various member banks which has not been previously written off the books of each such bank having such deposit shall be, and the same is hereby, authorized to be written and charged off the books of each such bank; and the same shall not hereafter be considered as an asset of the Depositors' Guaranty Fund.

That the 2 per cent assessment levied by the State Banking Board on May 2, 1927, is hereby rescinded and held for naught.

That those banks which have heretofore remitted their three-fourths demand deposit and/or 2 per cent assessment levied May 2, 1927, to the State Banking Board shall be entitled to the return thereof; and the same shall be by said State Banking Board returned to each such bank, the amount so paid by each such bank by reason of said three-fourths demand deposit and/or said 2 per cent assessment; said fund to be paid by a voucher drawn by the Attorney General, as chairman of the State Banking Board, on the State Treasurer of Texas as bailee for the Depositors' Guaranty Fund, out of any such funds as shall now be or shall hereafter be placed in the State Treasury of Texas to the credit of the State Treasurer, as bailee of the Depositors' Guaranty Fund, said voucher to be in words and figures substantially as follows:

Austin, Texas, April 17, 1931.
The State Banking Board of Texas
Pay to the order of.....
\$..... (dollars).
To Charley Lockhart, State Treasurer, bailee.
Depositors' Guarantee Fund, Austin, Texas.
State Banking Board,
By.....
Attorney General, Chairman.

Endorsement:

When paid, I accept the sum for which this voucher is drawn in full

satisfaction of my claim against the Depositors' Guaranty Fund of Texas, as follows:

Two per cent assessment levied May 2, 1927.

Three-fourths demand deposit paid.

.....

That any such fund or funds, disposition of which was made in the preceding chapter hereof, not now being in the State Treasury to the credit of the State Treasurer, as bailee for the Depositors' Guaranty Fund, shall be immediately placed in said State Treasury, as aforesaid.

That the suits now pending in various district courts of the State against various banks for the aforesaid three-fourths demand deposit and/or the aforesaid 2 per cent assessment levied on May 2, 1927, shall be dismissed and the costs incurred be paid as part of the expenses out of any funds in the possession of the State Treasurer, as bailee for the Depositors' Guaranty Fund.

Sec. 12. The banks embraced in the description and in this act referred to as "banks herein described" shall mean the 109 banks that were members of the guaranty fund system on and after September 29, 1926, and also the 759 guaranty fund banks that had withdrawn from the guaranty fund system prior to September 29, 1926, which banks were authorized to charge off their three-fourths demand deposits amounting to \$2,592,271.38 by the State Banking Board by an order entered on the 23d day of December, 1926.

In arriving at the amount to which each bank herein described is entitled, the audit hereinafter provided for shall show those banks which have already received payment of their pro rata part out of the funds described in subsection (a) of Section 7 hereof, and likewise show the amount thereof paid to each of them. It shall also show those banks herein described which have received 60 per cent of their one-fourth cash interest in the guaranty fund in accordance with two previous orders of said Board and the amount thereof paid to each of them. It shall also show those banks herein described that have not received their pro rata part of said funds, and likewise show the

amount of such pro rata of such funds necessary to equalize them with those banks that have been paid. And as so shown, the amount necessary to be paid to those banks which have not been paid their pro rata share from each of such funds shall be immediately paid said banks by the State Treasurer, as bailee of the Depositors' Guaranty Fund, on vouchers drawn by the Attorney General as chairman of the State Banking Board; the form of such vouchers shall be in words and figures substantially as follows:

Austin, Texas,

The State Banking Board of Texas

Pay to the order of.....
\$..... (dollars).

To Charley Lockhart, State Treasurer, bailee.

Depositors' Guaranty Fund, Austin, Texas.

State Banking Board.

By.....
Attorney General, Chairman.

Endorsement:

This voucher is received by the payee under the terms of an order of the State Banking Board of Texas dated April 17, A. D. 1931.

.....

Sec. 13. The balance unused, after the payments hereinabove provided for, less such expenses as shall be hereinafter provided for, shall be paid to the banks as herein described which contributed to such fund or funds in the proportion that the total amount paid into the fund by each such bank bears to the total amount paid in by all such banks herein described.

After the completion of the audit hereinafter provided for, the Attorney General, as chairman of the State Banking Board, shall immediately issue a voucher on the State Treasurer as bailee for such Depositors' Guaranty Fund for the amount of each bank's claim as shown by said audit and mail same to each such bank; and the State Treasurer shall, when said voucher is presented, properly endorsed by such bank, pay same in cash from such funds as shall be in the State Treasury to the credit of the State Treasurer as bailee for the Depositors' Guaranty Fund; said

voucher shall be in words and figures substantially as follows:

Austin, Texas, April 17, 1931.

The State Banking Board of Texas

Pay to the order of.....
\$..... (dollars).

To Charley Lockhart, State Treasurer, bailee,
Depositors' Guaranty Fund, Austin, Texas.

The State Banking Board.

By.....
Attorney General, Chairman.

Endorsement:

When paid, I accept the sum for which this voucher is drawn in full satisfaction of my claim against the Depositors' Guaranty Fund of Texas.

Sec. 14. The State Banking Board, or a majority of such Board, shall immediately employ a competent accountant or accountants, and such assistants as may be by it deemed necessary, who shall make a full and complete audit of all such funds as shall now be or hereafter be placed in the State Treasury under this act, and all the books and records of the Banking Commissioner of Texas as such Commissioner and/or as liquidating agent of failed guaranty fund banks, and of the State Treasurer as bailee of the Depositors' Guaranty Fund, and of the State Banking Board of Texas, to the end that such audit will reflect the amount paid by each bank by reason of the Depositors' Guaranty Fund Law and the amounts paid to the banks herein described as their pro rata out of the fund described in subsection (a) of Section 7 hereof, and out of the one-fourth cash interest in the custody of the State Treasurer as bailee for the Depositors' Guaranty Fund, also the amount necessary to equalize such payments to the banks herein described to which no such payments have been made, out of such fund described in subsection (a) of Section 7 hereof, or out of said one-fourth cash interest, with those banks to whom such payments have been made therefrom and the amount of such guaranty fund now unused, so that the State Banking Board may disburse the balance now unused to the banks entitled thereto in accordance with the provisions of the preceding Section 13 hereof.

Sec. 15. That all sums under the control of the State Banking Board or the Banking Commissioner of Texas in the form of unclaimed deposits or unclaimed sums due to protected depositors of failed guaranty fund banks, shall be placed in the trust fund as provided by Article 465, Revised Civil Statutes of Texas.

Sec. 16. That all assets of guaranty fund banks in liquidation of such banks be immediately closed, and the portion of such assets belonging to or due to the guaranty fund shall be forthwith paid to the State Treasurer as bailee of the Depositors' Guaranty Fund.

Sec. 17. The expenses incident to carrying out the provisions of this law, including the audit hereinbefore provided for, shall be paid by the State Treasurer as bailee for the Depositors' Guaranty Fund on statements duly sworn to and approved by a majority of said Board.

Sec. 18. That the order of the State Banking Board of Texas made and entered on the 17th day of April, A. D. 1931, where not in conflict with any provision of this act, be and the same is hereby in all things ratified and confirmed.

Sec. 19. No suit at law or in equity shall lie against the State Banking Board of Texas, or any member thereof, and no suit shall be filed under the provisions of this or any other law except an action for mandamus in the Supreme Court of this State against said board or any official charged with the duty under this act to compel said Board or said official to carry out the provisions hereof.

No suit at law or in equity shall lie against any individual member of said board by reason of such distribution as shall be made under the order of the banking board hereby ratified, or any previous order of the State Banking Board recognized in this bill.

Sec. 20. All laws and parts of laws in conflict with this act are hereby repealed in so far as they conflict.

Sec. 27. The fact that the Depositors' Guaranty Fund Law has been repealed, and that the Depositors' Guaranty Fund constitutes a fund which should be paid to the proper beneficiaries, and that the Legislature should enact adequate laws to accomplish such purposes, create an emergency and an imperative public necessity that the constitutional rule re-

quiring bills to be read on three several days in each house be suspended, and the same is hereby suspended, and that this act shall take effect and be in force from and after its passage, and it is so enacted.

Mr. Van Zandt offered the following amendments to the amendment:

(1)

Amend committee amendment to House bill No. 835 by adding a new section between Sections 13 and 14 to be known as Section 13a:

"Section 13a. The distribution of funds made to the 109 banks remaining in the guaranty fund system aforesaid, in Sections 12 and 13 hereof, is on condition that the sum of \$49,169.90 shall be deducted pro rata from the portion which said 109 banks are entitled to receive. Said \$49,169.90 shall be a special contribution from said 109 banks toward paying the balance due to the unpaid depositors of the nine failed banks hereinabove provided for."

(2)

Amend committee amendment to House bill No. 835 by striking out Section 18 and substitute in lieu thereof the following:

"Section 18. That the order of the State Banking Board of Texas made and entered on the 17th day of April, A. D. 1931, as modified by judgment entered the 11th day of May, A. D. 1931, in cause No. 48965, entitled J. C. McNair et al. vs. Farmers State Bank et al., in the Ninety-eighth District Court of Travis county, Texas, is in all things ratified and confirmed."

(3)

Amend committee amendment to House bill No. 835, by adding at the end of Section 17 of said bill, the following: "together with the expenses aforesaid, there shall be included the costs incurred in the cause entitled J. C. McNair et al. vs. Farmers State Bank et al., No. 48965, on the docket of the Ninety-eighth District Court of Travis county, Texas, and such attorney's fees allowed the attorneys in said cause, to be chargeable as directed by said court."

(4)

Amend committee amendment No. 1 to House bill No. 835 by adding to Section 20 the following: "And the in-

validity of any section of this act, or any part thereof, shall not affect the remainder of such act, and it is hereby declared that the Legislature would have passed any section or provision hereof independently of all other sections or provisions."

(5)

Amend committee amendment to House bill No. 835 by striking out the first paragraph of Section 8 and substituting the following:

"Section 8. That all depositors' claims, real or pretended, against the Depositors' Guaranty Fund not heretofore allowed are hereby disallowed; and where any reservation has been made by reason of such claims the same shall be paid to the State Treasurer as bailee for the Depositors' Guaranty Fund."

The amendments were severally adopted.

Mr. Wiggs offered the following amendment to the (committee) amendment:

Amend committee amendment to House bill No. 835 by adding:

"Section 8. (a) That any bona fide, unsecured, non-interest bearing depositor of a State bank incorporated under the laws of Texas, whose depositors have not been fully paid, where their deposit was made when such bank was conducting its business under the guaranty fund plan and/or where such bank changed from the guaranty fund plan to the bond security system and failed within a period of sixty days after said change, and was declared insolvent by the Banking Commissioner prior to the repeal of the guaranty system law, may file suit within six months from the passage of this act for the recovery of said deposit, and the only prerequisite necessary to a recovery from the guaranty fund is that the deposit was a bona fide, non-interest bearing deposit, and protected by the Depositors' Guaranty Fund at the time the deposit was made."

SENATE BILLS ON FIRST READING.

The following Senate bills, received from the Senate today, were laid before the House, read severally first time, and referred to the appropriate committees as follows:

Senate bill No. 628, to the Committee on Criminal Jurisprudence.

Senate bill No. 440, to the Committee on Judiciary.

Senate bill No. 409, to the Committee on Judicial Districts.

Senate bill No. 511, to the Committee on Public Lands and Buildings.

Senate bill No. 314, to the Committee on Appropriations.

Senate bill No. 621, to the Committee on Appropriations.

Senate bill No. 629, to the Committee on Education.

Senate bill No. 618, to the Committee on Counties.

RECESS.

On motion of Mr. Satterwhite, the House, at 12:10 o'clock p. m., took recess to 2 o'clock p. m. today.

AFTERNOON SESSION.

The House met at 2 o'clock p. m., and was called to order by the Speaker.

AUTHORIZING CERTAIN CORRECTIONS IN HOUSE JOINT RESOLUTION NO. 21.

Mrs. Strong offered the following resolution:

H. C. R. No. 68, Relative to House joint resolution No. 21.

Be it resolved by the House of Representatives, the Senate concurring, That the Enrolling Clerk of the House be directed to correct a repetition in Section 3 of House joint resolution No. 21.

The resolution was read second time, and was adopted.

BILLS ORDERED NOT PRINTED.

(By Unanimous Consent.)

On motion of Mr. Warwick, Senate bill No. 511 was ordered not printed.

On motion of Mr. Sanders, Senate bill No. 629 was ordered not printed.

On motion of Mr. Gilbert, Senate bills Nos. 469 and 507 House bill No. 1056 were ordered not printed.

HOUSE BILL NO. 835 ON PASSAGE TO ENGROSSMENT.

The House resumed consideration of pending business, same being House bill No. 835, relative to certain systems of banking, on its passage to engrossment.

The bill having heretofore been read second time, with committee amendment by Mr. Van Zandt, and amendment by Mr. Wiggs to the amendment, pending.

Question recurring on the amendment by Mr. Wiggs, it was lost.

The committee amendment as amended was then adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes made in the body of the bill.

House bill No. 835 was then passed to engrossment.

HOUSE BILL NO. 835 ON THIRD READING.

Mr. Van Zandt moved that the constitutional rule requiring bills to be read on three several days be suspended, and that House bill No. 835 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—105.

Adams of Jasper.	Hanson.
Adkins.	Hardy.
Akin.	Harman.
Albritton.	Harrison
Alsop.	of El Paso.
Anderson.	Hatchitt.
Baker.	Hill.
Bedford.	Hines.
Bounds.	Holland.
Boyd.	Hoskins.
Bryant.	Hubbard.
Burns of Walker.	Hughes.
Burns	Johnson
of McCulloch.	of Dallam.
Carpenter.	Johnson
Coltrin.	of Dimmit.
Cox of Lamar.	Johnson of Morris.
Cox of Limestone.	Jones of Shelby.
Dale.	Jones of Atascosa.
DeWolfe.	Justiss.
Dodd.	Kayton.
Donnell.	Keller.
Dowell.	Kennedy.
Dunlap.	Laird.
Dwyer.	Lasseter.
Elliott.	Lee.
Farmer.	Lilley.
Fisher.	McGill.
Forbes.	McGregor.
Ford.	Magee.
Gilbert.	Mathis.
Giles.	Metcalf.
Goodman.	Moffett.
Graves.	Moore.
Greathouse.	Munson.
Grogan.	Murphy.

Nicholson.	Stephens.
Olsen.	Stevenson.
O'Quinn.	Steward.
Patterson.	Strong.
Pope.	Sullivant.
Ramsey.	Tarwater.
Ratliff.	Terrell
Ray.	of Val Verde.
Richardson.	Towery.
Rogers.	Van Zandt.
Sanders.	Vaughan.
Satterwhite.	Veatch.
Savage.	Wagstaff.
Scott.	Walker.
Shelton.	Warwick.
Sherrill.	West of Coryell.
Smith of Bastrop.	Wiggs.
Smith of Wood.	Wyatt.
Sparkman.	Young.

Absent.

Adams of Harris.	Herzik.
Adamson.	Howsley.
Barron.	Jackson.
Beck.	Lemens.
Bond.	Leonard.
Bradley.	Long.
Brice.	McCombs.
Brooks.	McDougald.
Caven.	Martin.
Cunningham.	Mehl.
Daniel.	Morse.
Davis.	Petsch.
Duvall.	Rountree.
Farrar.	Turner.
Finn.	Weinert.
Fuchs.	West of Cameron.
Harrison	Westbrook.
of Waller.	

Absent—Excused.

Claunch.	Holloway.
Coombes.	Lockhart.
Engelhard.	Reader.
Ferguson.	Terrell
Hefley.	of Cherokee.
Holder.	

The Speaker then laid House bill No. 835 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—105.

Adams of Jasper.	Bryant.
Adkins.	Burns of Walker.
Akin.	Burns
Albritton.	of McCulloch.
Alsup.	Carpenter.
Anderson.	Coltrin.
Baker.	Cox of Lamar.
Bedford.	Cox of Limestone.
Bounds.	Dale.
Boyd.	Davis.
Brice.	DeWolfe.

Dodd.	McGregor.
Donnell.	Magee.
Dowell.	Mathis.
Dunlap.	Metcalf.
Dwyer.	Moffett.
Elliott.	Moore.
Farmer.	Munson.
Fisher.	Murphy.
Forbes.	Nicholson.
Ford.	Olsen.
Gilbert.	O'Quinn.
Giles.	Patterson.
Goodman.	Pope.
Graves.	Ramsey.
Greathouse.	Ratliff.
Grogan.	Ray.
Hanson.	Richardson.
Hardy.	Rountree.
Harman.	Sanders.
Harrison	Satterwhite.
of El Paso.	Savage.
Hill.	Shelton.
Hines.	Sherrill.
Holland.	Smith of Bastrop.
Hoskins.	Smith of Wood.
Hubbard.	Sparkman.
Hughes.	Stephens.
Johnson	Steward.
of Dallam.	Strong.
Johnson	Sullivant.
of Dimmit.	Tarwater.
Johnson of Morris.	Terrell
Jones of Shelby.	of Val Verde.
Jones of Atascosa.	Towery.
Justiss.	Van Zandt.
Kayton.	Vaughan.
Keller.	Veatch.
Kennedy.	Wagstaff.
Laird.	Walker.
Lasseter.	Warwick.
Lee.	West of Coryell.
Lemens.	West of Cameron.
Lilley.	Wyatt.
McGill.	Young.

Absent.

Adams of Harris.	Herzik.
Adamson.	Howsley.
Barron.	Jackson.
Beck.	Leonard.
Bond.	Long.
Bradley.	McCombs.
Brooks.	McDougald.
Caven.	Martin.
Cunningham.	Mehl.
Daniel.	Morse.
Duvall.	Petsch.
Farrar.	Scott.
Finn.	Stevenson.
Fuchs.	Turner.
Harrison	Weinert.
of Waller.	Westbrook.
Hatchitt.	Wiggs.

Absent—Excused.

Coombes.	Claunch.
----------	----------

Engelhard.
Ferguson.
Hefley.
Holder.
Holloway.

Lockhart.
Reader.
Rogers.
Terrell
of Cherokee.

HOUSE BILL NO. 309 ON SECOND READING.

On motion of Mrs. Moore, the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment,

H. B. No. 309, A bill to be entitled "An Act to provide for the securing of a site for and for the establishment, location and construction of a State hospital for insane, to be known as the West Texas State Hospital, for the care, treatment and support of insane persons, and making an appropriation therefor, and declaring an emergency."

The Speaker laid the bill before the House, and it was read second time.

Mrs. Moore offered the following (committee) amendment to the bill:

Amend House bill No. 309 by striking out Section 5 and inserting the following:

"There shall be, and there is hereby, appropriated out of the general revenues of this State not otherwise appropriated, the sum of \$15,000 for the fiscal year ending August 31, 1932, and \$185,000 for the fiscal year ending August 31, 1933, or so much thereof as may be needed, for the payment of the actual and necessary expenses of the locating board in visiting sites and making a selection of land and for the construction of buildings and improvements on the lands selected and donated as herein provided for; provided, that any unused portion of the \$15,000 appropriated for the fiscal year ending August 31, 1932, shall be expended for the fiscal year ending August 31, 1933."

Mr. Satterwhite offered the following substitute for the (committee) amendment:

Amend House bill No. 309, page 2, line 10, by striking out the word "four" and substituting in lieu thereof the word "one;" also in line 11, by striking out the figure "4" and inserting in lieu thereof the figure "1."

The substitute amendment was adopted.

The amendment as substituted was then adopted.

Mr. Satterwhite offered the following amendment to the bill:

Amend House bill No. 309 by adding at the end of line 14, page 2, the following:

"Provided, the appropriation herein shall not be available prior to September 1, 1932."

The amendment was adopted.

Mr. Scott offered the following amendment to the bill:

Amend House bill No. 309 by striking out all after word "hospital" in line 22, Section 2, down to and including the word "specified" in line 27, Section 2, and insert the following: "at Sweetwater, Nolan county, Texas."

Mr. Keller moved the previous question on the pending amendment and the bill, and the main question was ordered.

Question recurring on the amendment by Mr. Scott, it was lost.

By unanimous consent of the House the caption of the bill was ordered amended to conform to all changes made in the body of the bill.

House bill No. 309 was then passed to engrossment by the following vote:

Yeas—58.

Adams of Jasper.	Johnson of Dimmit.
Adamson.	Justiss.
Alsup.	Kayton.
Anderson.	Keller.
Beck.	Kennedy.
Bedford.	Lasseter.
Bounds.	Leonard.
Bryant.	McCombs.
Carpenter.	McDougald.
Coltrin.	McGill.
Cox of Lamar.	Mathis.
Dale.	Metcalfe.
Donnell.	Moffett.
Dowell.	Moore.
Dwyer.	Patterson.
Elliott.	Ratliff.
Finn.	Reader.
Fisher.	Richardson.
Forbes.	Satterwhite.
Fuchs.	Shelton.
Goodman.	Smith of Bastrop.
Harrison	Stephens.
of El Paso.	Steward.
Harrison	Sullivan.
of Waller.	Terrell
Hatchitt.	of Val Verde.
Hines.	Wagstaff.
Hoskins.	Warwick.
Hubbard.	West of Cameron.
Hughes.	Young.
Jackson.	

Nays—52.

Akin.	Lee.
Albritton.	Lemens.
Baker.	Lilley.
Bond.	Long.
Boyd.	McGregor.
Brice.	Magee.
Burns of Walker.	Munson.
Caven.	Olsen.
Cox of Limestone.	Petsch.
DeWolfe.	Pope.
Dodd.	Ray.
Farmer.	Sanders.
Farrar.	Scott.
Ford.	Smith of Wood.
Gilbert.	Sparkman.
Giles.	Tarwater.
Graves.	Towery.
Greathouse.	Turner.
Grogan.	Van Zandt.
Hanson.	Vaughan.
Harman.	Veatch.
Hill.	Walker.
Howsley.	Weinert.
Johnson	West of Coryell.
of Morris.	Wiggs.
Jones of Shelby.	Wyatt.
Jones of Atascosa.	

Absent.

Adams of Harris.	Johnson of Dallam.
Adkins.	Laird.
Barron.	Martin.
Bradley.	Mehl.
Brooks.	Morse.
Burns	Murphy.
of McCulloch.	Nicholson.
Cunningham.	O'Quinn.
Daniel.	Ramsey.
Davis.	Rountree.
Dunlap.	Savage.
Duvall.	Sherrill.
Hardy.	Stevenson.
Herzik.	Strong.
Holland.	Westbrook.

Absent—Excused.

Claunch.	Holloway.
Coombes.	Lockhart.
Engelhard.	Rogers.
Ferguson.	Terrell
Hefley.	of Cherokee.
Holder.	

MOTION TO TAKE UP HOUSE
BILL NO. 309.

Mrs. Moore moved that the constitutional rule requiring bills to be read on three several days be suspended, and that House bill No. 309 be placed on its third reading and final passage.

The motion was lost (not receiving the necessary four-fifths vote) by the following vote:

Yeas—61.

Adams of Jasper.	Johnson of Dimmit.
Adamson.	Justiss.
Alsup.	Kayton.
Anderson.	Keller.
Beck.	Kennedy.
Bedford.	Leonard.
Bounds.	McCombs.
Bryant.	McDougald.
Carpenter.	McGill.
Coltrin.	Mathis.
Cox of Lamar.	Metcalfe.
Dale.	Moffett.
Davis.	Moore.
Donnell.	Olsen.
Dowell.	O'Quinn.
Dwyer.	Patterson.
Elliott.	Ratliff.
Finn.	Reader.
Fisher.	Sanders.
Forbes.	Satterwhite.
Fuchs.	Smith of Bastrop.
Gilbert.	Stephens.
Goodman.	Steward.
Harrison	Sullivant.
of El Paso.	Terrell
Harrison	of Val Verde.
of Waller.	Towery.
Hines.	Wagstaff.
Holland.	Walker.
Hubbard.	Warwick.
Hughes.	West of Cameron.
Jackson.	Young.

Nays—45.

Akin.	Lasseter.
Albritton.	Lemens.
Baker.	Lilley.
Bond.	McGregor.
Boyd.	Magee.
Brice.	Munson.
Burns of Walker.	Petsch.
Cox of Limestone.	Pope.
DeWolfe.	Ray.
Dodd.	Richardson.
Farmer.	Scott.
Farrar.	Smith of Wood.
Ford.	Sparkman.
Giles.	Tarwater.
Graves.	Turner.
Greathouse.	Van Zandt.
Grogan.	Vaughan.
Harman.	Veatch.
Hill.	Weinert.
Howsley.	West of Coryell.
Johnson of Morris.	Wiggs.
Jones of Shelby.	Wyatt.
Jones of Atascosa.	

Absent.

Adams of Harris.	Burns
Adkins.	of McCulloch.
Barron.	Caven.
Bradley.	Cunningham.
Brooks.	Daniel.

Dunlap.	Mehl.
Duvall.	Morse.
Hanson.	Murphy.
Hardy.	Nicholson.
Hatchitt.	Ramsey.
Herzik.	Rountree.
Hoskins.	Savage.
Johnson	Shelton.
of Dallam.	Sherrill.
Laird.	Stevenson.
Lee.	Strong.
Long.	Westbrook.
Martin.	

Absent—Excused.

Claunch.	Holloway.
Coombes.	Lockhart.
Engelhard.	Rogers.
Ferguson.	Terrell
Hefley.	of Cherokee.
Holder.	

NOTICE GIVEN.

Mr. McGregor gave notice that he would, on tomorrow, move to take up for consideration at that time, Senate joint resolution No. 28, which resolution had heretofore been laid on the table subject to call.

CONFERENCE COMMITTEE APPOINTED ON SENATE BILL NO. 5.

The Speaker announced the appointment of the following free conference committee on Senate bill No. 5: Messrs. Weinert, Barron, Ratliff, Ferguson and Harman.

BILLS SIGNED BY THE SPEAKER.

The Speaker signed, in the presence of the House, after giving due notice thereof and their captions had been read severally, the following enrolled bills:

H. B. No. 120, "An Act to amend Articles 2237, 2238 and 2239 of the 1925 Revised Civil Statutes of Texas, by providing that where the ruling of the court upon the admission or exclusion of evidence is shown by the transcript or statement of facts, and where the objections and exceptions are likewise shown, no formal bill of exception shall be necessary, etc., and declaring an emergency."

S. B. No. 115, "An Act amending Chapter 12 of the Acts of the First Called Session of the Fortieth Legislature of the State of Texas of 1927, relating to the organization of the Fifty-first Judicial District of the

State of Texas; reorganizing the same; naming the counties constituting the same, and fixing the terms of court to be held in the several counties therein; amending Chapter 36 of the Acts of the Regular Session of the Thirty-ninth Legislature of the State of Texas, relating to the organization of the Thirty-fifth Judicial District of the State of Texas, reorganizing the same, naming the counties constituting the same, and fixing the terms of court to be held in the several counties therein; creating the One Hundred and Nineteenth Judicial District of Texas, naming the counties constituting said district, fixing the terms for holding court in the several counties therein, etc., and declaring an emergency."

H. B. No. 856, "An Act amending Articles 2702, 2703 and 2724 of the Revised Statutes of Texas, 1925, relating to the county unit system of education, and declaring an emergency."

H. B. No. 1026, "An Act fixing the venue of suits brought on policies and contracts made by fraternal benefit societies, and declaring an emergency."

H. B. No. 550, "An Act amending Articles 1034 and 1035 of the Code of Criminal Procedure of 1925, so as to hereafter make the approval of officers' felony accounts to be made by the district judge, subject to and conditioned with the approval of the State Comptroller; providing for the recording of such approval in the minutes of the district court; providing that the district clerk shall make a certified copy from the minutes of said court of said bill and the action of the judge thereon, and the sending of the same by registered mail to the Comptroller, etc., and declaring an emergency."

H. B. No. 1015, "An Act to amend Articles 1740 and 1741 of the Revised Civil Statutes of Texas, 1925, and declaring an emergency."

MESSAGE FROM THE SENATE.

Senate Chamber,
Austin, Texas, May 18, 1931.

Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

H. B. No. 979, A bill to be entitled "An Act to create a more efficient road system for Mills county, Texas,

and making the commissioners of Mills county ex-officio road commissioners in their respective precincts, and providing for the appointment of deputies; defining the powers and duties of the commissioners court with reference to roads and bridges; providing for the appointment of road overseers, and defining their duties; and providing for and fixing their compensation for certain labor; providing penalties for the violation of this act, etc., and declaring an emergency."

H. B. No. 1039, A bill to be entitled "An Act to amend House bill No. 94 as passed by the Forty-second Legislature, fixing the salary of the county superintendent of public instruction and the county board of school trustees in each county in Texas having a population of not less than 18,425 nor more than 18,435, according to the last preceding Federal census, and declaring an emergency."

The Senate has adopted

H. C. R. No. 68, Directing the Enrolling Clerk of the House to correct House joint resolution No. 21.

Respectfully,

BOB BARKER,
Secretary of the Senate.

Mr. DeWolfe made the following motion:

"Mr. Speaker: I move that from the present time until Thursday noon that no bills except Senate bills on second and third readings and House bills on third reading or House bills local in their nature, and appropriation bills, be considered."

The motion was lost.

SENATE BILL NO. 263 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 263, A bill to be entitled "An Act appropriating \$3,000,000 per year, or so much thereof as may be necessary, for the next two fiscal years, for the purpose of promoting the public school interest of rural school opportunities afforded by the State to all children of scholastic age living in small and financially weak districts, and declaring an emergency."

The bill was read second time.

Mr. Sanders offered the following amendment to the bill:

Amend Senate bill No. 263 by striking out all below the enacting clause and inserting in lieu thereof the following:

"Section 1. For the purpose of promoting public school interest of rural schools and equalizing the educational opportunities afforded by the State to all children of scholastic age living in small and financially weak school districts, there is hereby appropriated out of the general revenue two million five hundred thousand dollars (\$2,500,000), or so much thereof as may be necessary, for the school year ending August 31, 1931, and two million five hundred thousand dollars (\$2,500,000), or so much thereof as may be necessary, for the school year ending August 31, 1933, to be allotted and expended in accordance with the provisions of this act; provided, that any unexpended balance occurring at the close of the year 1932 may be transferred and added to the appropriation for the year ending August 31, 1933.

"Sec. 2. State aid under the provisions of this act may be distributed in such a way as to assist all schools of not fewer than 20 scholastics and not more than 300 scholastics located in district of not more than 400 scholastics, and consolidated districts which have an average of not more than 200 scholastics for each original district composing the consolidated unit, and all districts composed of entire counties having a population of less than 5000, to maintain the school solely out of State and county available funds for a term not to exceed six and one-half months; provided, that in no event may a school receive more State aid than is needed to maintain the contracted term, not to exceed nine months, as shown by the difference between all available funds and the total disbursements. The allotment of all State aid shall be subject to such rules and regulations as may be adopted by the State Board of Education consistent with the provisions of this act.

"Sec. 3. No common or independent school district shall be eligible to receive aid under the provisions of this act unless it shall be providing for the annual support of its schools by voting, levying and collecting for the current year a local school tax of not less than 75 cents on the \$100 of property valuation in the entire dis-

strict; and provided further, that the property valuation shall not be less than said property is valued for State and county purposes, and shall not be less than one-third of its fair market value; provided, that the maintenance tax requirement shall not apply to schools maintained solely for Indians.

"Sec. 4. The trustees of schools as authorized in Section 2 of this act may send to the State Superintendent, on forms provided by the State Department of Education, a list of the teachers employed in the school, showing the monthly salary, experience and training of each, together with an itemized statement of expected receipts and expenditures, the length of term, and such other information as may be required, and the State Superintendent, with the approval of the State Board of Education, may then grant to the school such an amount of this fund as will, with the State and county available funds, maintain the school for a term not to exceed six and one-half months; provided, that if the school has sufficient State and county available funds to maintain the school for a six and one-half month term, according to salary schedule adopted by the State Board of Education, or with its local maintenance tax, to maintain the desired term, not to exceed nine months, as provided in Section 2, it shall not be eligible to receive State aid; provided further, that the county superintendent shall approve all contracts with teachers, supervising officers and bus drivers in all schools before such schools may be eligible to receive State aid under any provision of this act.

"Sec. 5. It is hereby provided that schools in sparsely settled counties having less than fourteen hundred (1400) scholastic population in the common school districts, may be exempted from the minimum restriction of twenty scholastics; provided, that each district applying for aid in levying and collecting the limit of local support, as provided in Section 2 of this act.

"Sec. 6. No part of the aid herein provided shall be used for increasing the salary of any teacher, but the funds provided for in this act shall be used for the exclusive purpose of extending the length of the school term of the school situated in the district receiving such aid on the basis of a

schedule of teachers' salaries to be determined by the State Board of Education. Any district violating any of the provisions of this act, or any rules or regulations adopted by the State Board of Education, shall forfeit all rights to such aid and be disqualified to receive aid of any nature under any section of this act for the current year. Should any school which would be eligible to receive aid agree, provide or contract with teachers to pay a smaller salary during the remainder of the term provided out of the local funds than is paid out of the State funds, then such school shall forfeit its right to receive aid.

Sec. 7. Any county in this State that has a special equalization fund derived from State and county available funds, and which contributes to the said funds for the benefit of its rural schools out of its own funds as much as forty thousand dollars (\$40,000) per annum, shall receive from the appropriation herein provided \$18,000 for each year of the biennium, to supplement the equalization fund thereof for all purposes, without inspections being made by the State Department of Education; provided, such counties, in addition to such State aid, may be granted reimbursement for high school tuition.

"Sec. 8. State aid under the provisions of this act shall be allotted upon the basis of one teacher for any number of scholastics from twenty to thirty-five; two teachers for thirty-six scholastics; and one additional teacher for each additional thirty scholastics. The basis for calculation shall be the net scholastic enumeration, including the transfers into the district, and excluding transfers out of the district for the current year; and there shall be deducted all scholastics who have completed the course of study in their home school as authorized by the county board of school trustees; provided, in unusual or extraordinary conditions of actual enrollment, an adjustment as to the number of teachers may be made by the State Superintendent, with the approval of the State Board of Education.

"Sec. 9. State aid may be granted to any one school in the district employing four or more teachers which will provide for the proper instruction and demonstration in farm mechanics, agriculture and home eco-

nomics, according to a program approved by the State Department of Education, and which shall be employing a teacher or teachers whose qualifications shall be approved by the State Superintendent; provided, that the maximum aid to be granted for each of the above courses cannot exceed fifty dollars (\$50).

"Sec. 10. On the agreement of the board of trustees of the district concerned and subject to the approval of the county superintendent and the State Superintendent, the trustees of a district which may be unable to maintain a satisfactory school may transfer its entire scholastic enrollment, or any number of grades thereof, to a convenient State classified or accredited school, and in such event all of the funds of the district, including the State aid to which the district would otherwise be entitled under the provisions of this act, or such proportionate part thereof as may be necessary, may be used in carrying out the said agreement; provided, that the scholastics so transferred shall be entitled, without the payment of other tuition, to the entire term maintained by the receiving district; and provided also, that if any of the scholastic residents of the district are not so transferred, sufficient funds must be retained to provide them with school facilities for at least six months; and provided further, that if the districts consolidate during the year, the consolidated district shall be entitled to consolidation aid as otherwise provided in this act.

"Sec. 11. It is hereby further provided that in consolidated districts formed under the provisions of this act, with buildings and equipment approved by the State Superintendent, which shall maintain a four-year high school employing not less than three teachers, including the principal doing high school work exclusively, and whose valuation shall not be less than seven hundred fifty thousand dollars (\$750,000), may be granted out of the appropriations of this act the sum of one thousand dollars (\$1000) for each entire district included in said consolidation; consolidated districts formed under the provisions of this act which shall maintain a three-year high school, employing not less than two teachers, including the principal doing high school work exclusively whose valuations shall not be less than five hundred thousand dollars (\$500,-

000), may be granted out of the appropriations of this act the sum of six hundred dollars (\$600) for each entire district included in said consolidation; and consolidated districts formed under the provisions of this act which shall maintain a two-year high school, employing not less than one teacher doing high school work exclusively, and whose valuations shall not be less than three hundred thousand dollars (\$300,000), may be granted out of the appropriations of this act the sum of four hundred dollars (\$400) for each entire district included in said consolidation; provided such rural high school districts are units in a county-wide system of such high school districts mapped and planned for the entire county under the direction of the county board of school trustees, approved by the State Superintendent of Public Instruction; provided also, that nothing herein shall prohibit any one unit from receiving such aid on account of any other unit in said county failing to comply with this act or to put in effect county-wide plans of consolidation; provided that any building constructed from the proceeds of bonds voted to accommodate the incomplete unit shall be located at the high school center previously designated by the county board for the entire unit; it is hereby further provided that if any additional district or districts to be annexed to or consolidated with any existing high school unit, that there shall be granted out of the yearly appropriations of this act the sum of five hundred dollars (\$500) for each such district annexed to or consolidated with such existing high school district. Provided further, should any district be annexed to or consolidated with a high school district in an adjoining county, a bonus shall be paid out of the yearly appropriations of this act, the sum of five hundred dollars (\$500) for each original school district included in said consolidated or annexation that has not previously been granted a bonus for consolidation; and provided further, that such plan of consolidation is agreed to by the boards of trustees of both counties involved and is ratified by the State Department of Education.

"Sec. 12. Consolidated districts, formed in accordance with Section 11 of this act, and all consolidations, formed prior to September 1, 1931, and all other districts embracing ter-

ritory in excess of fifty square miles, which make provision for transportation of pupils to and from said schools at public expense, may be granted from this appropriation, a sum equal to one-half of the cost of transportation, not to exceed four hundred dollars (\$400) for each automobile truck required, provided contracts for such transportation have been approved by the State Superintendent, provided there is levied and collected annually a tax of not less than seventy-five cents on the one hundred dollars (\$100) of property valuation for school purposes in the entire district.

"Sec. 13. Any school district which has a taxable valuation for school purposes of not to exceed one million dollars, and any consolidated school district which has a taxable valuation for school purposes of not to exceed one and one-half million dollars and which levies and collects a local tax of one dollar (\$1) on the one hundred dollars (\$100) valuation of property, and which is maintaining a high school of fifty or more resident scholastics shall receive from the appropriations of this act an amount equal to the State per capita apportionment for each resident high school pupil enrolled in school for that scholastic year.

"Districts which have high schools of fewer than fifty resident high school pupils shall be eligible to receive this aid provided that the number of grades offered in such school shall not exceed one grade for each ten pupils enrolled in school. Provided further, that no school may receive more aid from this appropriation than is necessary to supplement the State and county available school funds, together with the local maintenance tax to provide a term of school of not to exceed nine months according to the schedule of teachers' salaries adopted by the State Board of Education and budget expense for such local maintenance approved by the State Department of Education.

"Sec. 14. It is hereby expressly provided that an amount not to exceed five hundred thousand dollars (\$500,000) or so much thereof as may be necessary, of the appropriation made herein may be used each year of the biennium for tuition of rural high school pupils according to the provisions of Chapter 181 of the General Laws of the Fortieth Legislature, Reg-

ular Session, as amended by Senate bill No. 10, passed at the First Called Session of the Forty-first Legislature; provided that nothing in this act shall be construed as giving the district trustees control over the transfer of high school students.

"Sec. 15. In all districts that comply with the foregoing provisions of this act and in addition thereto levy and collect a tax of one dollar (\$1) on the one hundred dollars (\$100) valuation of property, and after provision is made for a term of six and one-half months on the ratio of the number of teachers provided for herein and on the basis of the salary schedule fixed by the State Board of Education, the proceeds of the local maintenance tax may be supplemented with sufficient amount from the appropriation provided herein to guarantee a local maintenance fund equal to one hundred twenty-five dollars (\$125) per teacher or as much thereof as may be necessary to maintain a term of not to exceed nine months.

"Sec. 16. No aid shall be granted to any school under the provisions of this act which is located within two and one-half miles of another school of the same race unless, on account of the conditions of the roads and other physical features, it is unreasonable and impracticable for the pupils to attend another school; provided that this restriction shall not apply to elementary schools in a consolidation formed under this or any subsequent act nor to any district which at some previous election has voted to remove such condition by consolidation.

"Sec. 17. It shall be the duty of the State Board of Education and it is hereby authorized to take such action and to make such rules and regulations not inconsistent with the terms of this act as may be necessary to carry out the provisions and the intentions of this act, and for the best interests of the schools for whose benefits the funds are appropriated. It shall be the duty of the State Superintendent to send one of the rural supervisors hereby authorized to make a thorough investigation in person of the grounds, buildings, equipment, teaching force and financial condition of each school applying for aid; and no aid shall be granted unless it can be shown that all provisions of this act and regulations made by the State

Board of Education have been complied with, and that such amounts of aid is actually needed.

"Sec. 18. Warrants for all money granted under the provisions of this act shall be transmitted by the State Superintendent of Public Instruction to treasurers of depositories of school districts to which State aid is granted in the same manner as warrants for State apportionments are transmitted, and it shall be the duty of all treasurers of depositories to make annually itemized reports under oath to the State Superintendent of Public Instruction of the expenditures of all money granted under the provisions of this act.

"Sec. 19. Rural schools accepting the provisions of this act shall be entitled to share in the distribution of State and county available school funds in all other school funds in the same manner as all other school districts; and in case of high school grades are maintained, the community shall still be entitled to participate in the distribution of any State aid that may be extended by the Legislature of Texas for vocational or industrial purposes to high schools of the State; provided, however, that no school or school district shall be denied rural State aid for failure or refusal to buy any books, equipment, charts and/or school supplies offered by any person, firm or corporation unless the minutes of the State Board of Education of Texas show that said books, equipment, charts and/or supplies were approved by a majority vote of said State Board of Education.

"Sec. 20. All laws or parts of laws in conflict herewith are hereby repealed; in the event any provision of this act is unconstitutional or invalid, the remainder of this act shall nevertheless remain in effect.

"Sec. 21. The fact that many schools in rural districts are in need of aid, and that public policy requires that proper provision be made for the maintenance and support of the schools with as little delay as possible, and the further fact that considerable time is required in preparation for carrying out the terms of this act, creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days be, and the same is hereby, suspended and this act shall take effect and be in force from and

after its passage, and it is so enacted."

Mr. Petsch offered the following amendment to the (committee) amendment:

Amend committee amendment to Senate bill No. 263, page 10, line 1, by changing the word "may" to "shall"; by striking out everything after the word "thousand" at the end of line 8, on said page, to the end of the bill, and substituting for all of the matter stricken out the following:

"The money appropriated in the previous paragraph shall be distributed among the various schools coming under the classifications hereinbefore set out on a pro rata and per capita basis of actual, bona fide, average attendance in said schools for the months of January and February of each preceding year, certified to the State Superintendent upon forms prepared by him."

PETSCH,
GRAVES,
STEVENSON,
SHERRILL,
LEE,
BURNS of McCulloch,
WEINERT,
KAYTON.

(Mr. Keller in the chair.)

Mr. Kayton moved the previous question on the pending amendment to the amendment, and the main question was ordered.

Question first recurring on the amendment by Mr. Petsch, yeas and nays were demanded.

The amendment was lost by the following vote:

Yeas—48.

Albritton.	Herzik.
Anderson.	Hill.
Baker.	Holland.
Bedford.	Hoskins.
Burns	Jackson.
of McCulloch.	Johnson
Cox of Limestone.	of Dimmit.
Donnell.	Jones of Atascosa.
Dunlap.	Kayton.
Dwyer.	Kennedy.
Elliott.	Lee.
Farmer.	Leonard.
Farrar.	Lilley.
Fisher.	Long.
Fuchs.	McGill.
Giles.	Mathis.
Graves.	Metcalfe.
Harrison	Moore.
of El Paso.	Munson.

O'Quinn.	Stevenson.
Petsch.	Terrellof Val Verde.
Pope.	Veatch.
Reader.	Warwick.
Savage.	Weinert.
Smith of Bastrop.	West of Cameron.
Sparkman.	

Nays—64.

Adams of Jasper.	Johnson of Morris.
Adamson.	Laird.
Akin.	Lasseter.
Alsup.	Lemens.
Beck.	McCombs.
Bond.	McDougald.
Bounds.	McGregor.
Boyd.	Magee.
Brice.	Moffett.
Brooks.	Murphy.
Bryant.	Patterson.
Burns of Walker.	Ratliff.
Coltrin.	Richardson.
Cox of Lamar.	Rountree.
Dale.	Sanders.
Daniel.	Scott.
Davis.	Sherrill.
Dodd.	Smith of Wood.
Dowell.	Stephens.
Forbes.	Steward.
Ford.	Strong.
Gilbert.	Sullivant.
Goodman.	Tarwater.
Greathouse.	Turner.
Grogan.	Van Zandt.
Hanson.	Vaughan.
Harman.	Wagstaff.
Harrison of Waller.	Walker.
Howsley.	West of Coryell.
Hubbard.	Wiggs.
Hughes.	Wyatt.
Johnson	Young.
of Dallam.	

Absent.

Adams of Harris.	Jones of Shelby.
Adkins.	Justiss.
Barron.	Martin.
Bradley.	Mehl.
Carpenter.	Morse.
Caven.	Nicholson.
Cunningham.	Olsen.
DeWolfe.	Ramsey.
Duvall.	Ray.
Finn.	Satterwhite.
Hardy.	Shelton.
Hatchitt.	Towery.
Hines.	Westbrook.

Absent—Excused.

Claunch.	Holloway.
Coombes.	Lockhart.
Engelhard.	Rogers.
Ferguson.	Terrell
Hefley.	of Cherokee.
Holder.	

Mr. Stephens moved to reconsider the vote by which the amendment was lost, and to table the motion to reconsider.

Question recurring on the motion to table, it prevailed by the following vote:

Yeas—65.

Adams of Jasper.	Justiss.
Adamson.	Kennedy.
Alsup.	Laird.
Beck.	Lasseter.
Bedford.	Lemens.
Bond.	McCombs.
Bounds.	McDougald.
Boyd.	McGregor.
Brice.	Magee.
Bryant.	Moffett.
Burns of Walker.	Munson.
Coltrin.	Murphy.
Cox of Lamar.	Patterson.
Dale.	Ratliff.
Daniel.	Richardson.
Davis.	Sanders.
Dodd.	Scott.
Dowell.	Sherrill.
Finn.	Smith of Bastrop.
Forbes.	Smith of Wood.
Ford.	Stephens.
Gilbert.	Steward.
Goodman.	Strong.
Greathouse.	Sullivant.
Grogan.	Tarwater.
Harman.	Turner.
Hoskins.	Van Zandt.
Howsley.	Vaughan.
Hubbard.	Wagstaff.
Hughes.	Walker.
Johnson	West of Coryell.
of Dallam.	Wiggs.
Johnson of Morris.	Young.

Nays—36.

Albritton.	Jones of Atascosa.
Anderson.	Kayton.
Baker.	Lee.
Burns	Leonard.
of McCulloch.	Lilley.
Cox of Limestone.	McGill.
Donnell.	Mathis.
Dwyer.	Metcalfe.
Elliott.	Moore.
Farmer.	O'Quinn.
Farrar.	Petsch.
Fisher.	Pope.
Fuchs.	Reader.
Giles.	Savage.
Graves.	Sparkman.
Herzik.	Stevenson.
Hill.	Veatch.
Holland.	Weinert.
Jackson.	

Present—Not Voting.

Hanson.

Absent.

Adams of Harris.	Jones of Shelby.
Adkins.	Long.
Akin.	Martin.
Barron.	Mehl.
Bradley.	Morse.
Brooks.	Nicholson.
Carpenter.	Olsen.
Caven.	Ramsey.
Cunningham.	Ray.
DeWolfe.	Rountree.
Dunlap.	Satterwhite.
Duvall.	Shelton.
Hardy.	Terrell
Harrison	of Val Verde.
of El Paso.	Towery.
Harrison	Warwick.
of Waller.	West of Cameron.
Hatchitt.	Westbrook.
Hines.	Wyatt.
Johnson of Dimmit.	

Absent—Excused.

Claunch.	Holloway.
Coombes.	Lockhart.
Engelhard.	Rogers.
Ferguson.	Terrell
Hefley.	of Cherokee.
Holder.	

Mrs. Strong offered the following amendment to the amendment:

Amend committee amendment to Senate bill No. 263, page 9, lines 31, 32 and 34, by striking out the figures "\$2,500,000" and insert in lieu thereof "\$2,600,000."

The amendment was lost.

Mr. Kayton moved to reconsider the vote by which the amendment was lost, and to table the motion to reconsider.

The motion to table prevailed.

Mrs. Strong offered the following amendment to the amendment:

Amend committee amendment to Senate bill No. 263, page 15, line 11, to read "four hundred thousand dollars (\$400,000)."

The amendment was lost.

Mr. Graves offered the following amendment to the amendment:

Amend Senate bill No. 263, committee amendment No. 1, by adding at the end of Section 3 thereof of committee amendment No. 1 the following: "and provided further, that the State Board of Education shall have the power to waive the foregoing requirements as to the voting of a 75 cents tax when in its discretion such requirements should be waived,

and they may in such instance grant such aid as they deem to be just and fair."

GRAVES,
JOHNSON of Dimmit.

Mr. Kayton moved the previous question on the pending amendments and the bill, and the main question was ordered.

Question recurring on the amendment by Mr. Graves, it was adopted.

Question next recurring on the (committee) amendment, it was adopted.

Mr. Sanders offered the following amendment to the bill:

Amend caption of Senate bill No. 263 by striking out "two million six hundred thousand dollars (\$2,600,000)" and inserting in lieu thereof "two million five hundred thousand dollars (\$2,500,000)."

The amendment was adopted.

Senate bill No. 263 was then passed to third reading.

SENATE BILL NO. 263 ON THIRD READING.

Mr. Sanders moved that the constitutional rule requiring bills to be read on three several days be suspended, and that Senate bill No. 263 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—103.

Adams of Jasper.	Davis.
Adamson.	DeWolfe.
Adkins.	Dodd.
Akin.	Donnell.
Albritton.	Dowell.
Alsup.	Dwyer.
Beck.	Elliott.
Bedford.	Farrar.
Bond.	Finn.
Bounds.	Fisher.
Boyd.	Forbes.
Brice.	Ford.
Brooks.	Gilbert.
Bryant.	Giles.
Burns of Walker.	Goodman.
Burns	Graves.
of McCulloch.	Greathouse.
Carpenter.	Grogan.
Caven.	Hanson.
Coltrin.	Harman.
Cox of Lamar.	Harrison
Cox of Limestone.	of Waller.
Dale.	Herzik.
Daniel.	Holland.

Hoskins.	Ramsey.
Howsley.	Ratliff.
Hubbard.	Richardson.
Hughes.	Rountree.
Jackson.	Sanders.
Johnson	Satterwhite.
of Dallam.	Savage.
Johnson	Scott.
of Dimmit.	Sherrill.
Johnson of Morris.	Smith of Bastrop.
Jones of Shelby.	Smith of Wood.
Justiss.	Sparkman.
Kayton.	Stephens.
Keller.	Steward.
Kennedy.	Strong.
Laird.	Sullivant.
Lilley.	Tarwater.
McCombs.	Terrell
McDougald.	of Val Verde.
McGill.	Towery.
McGregor.	Turner.
Magee.	Van Zandt.
Mathis.	Vaughan.
Moore.	Wagstaff.
Morse.	Walker.
Munson.	Warwick.
Murphy.	Weinert.
O'Quinn.	West of Coryell.
Patterson.	Wiggs.
Pope.	Wyatt.

Nays—4.

Baker.	Hill.
Farmer.	Leonard.

Absent.

Adams of Harris.	Long.
Anderson.	Martin.
Barron.	Mehl.
Bradley.	Metcalfe.
Cunningham.	Moffett.
Dunlap.	Nicholson.
Duvall.	Olsen.
Fuchs.	Petsch.
Hardy.	Ray.
Harrison	Reader.
of El Paso.	Shelton.
Hatchitt.	Stevenson.
Hines.	Veatch.
Jones of Atascosa.	West of Cameron.
Lasseter.	Westbrook.
Lee.	Young.
Lemens.	

Absent—Excused.

Claunch.	Holloway.
Coombes.	Lockhart.
Engelhard.	Rogers.
Ferguson.	Terrell
Hefley.	of Cherokee.
Holder.	

The Speaker then laid Senate bill No. 263 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—103.

Adams of Jasper.	Johnson
Adamson.	of Dimmit.
Adkins.	Johnson of Morris.
Akin.	Jones of Shelby.
Albritton.	Justiss.
Alsup.	Kayton.
Barron.	Keller.
Beck.	Kennedy.
Bedford.	Laird.
Bond.	Lemens.
Bounds.	Lilley.
Boyd.	McCombs.
Brice.	McDougald.
Brooks.	McGill.
Bryant.	McGregor.
Burns of Walker.	Magee.
Burns	Mathis.
of McCulloch.	Moore.
Carpenter.	Morse.
Caven.	Munson.
Coltrin.	Murphy.
Coombes.	Olsen.
Cox of Lamar.	O'Quinn.
Cox of Limestone.	Patterson.
Dale.	Ramsey.
Daniel.	Ratliff.
Davis.	Richardson.
DeWolfe.	Sanders.
Dodd.	Satterwhite.
Donnell.	Scott.
Dowell.	Sherrill.
Dwyer.	Smith of Bastrop.
Elliott.	Smith of Wood.
Farmer.	Sparkman.
Farrar.	Stephens.
Finn.	Stevenson.
Forbes.	Steward.
Ford.	Strong.
Fuchs.	Sullivant.
Gilbert.	Tarwater.
Giles.	Terrell
Goodman.	of Val Verde.
Graves.	Towery.
Greathouse.	Turner.
Grogan.	Van Zandt.
Hanson.	Vaughan.
Harman.	Veatch.
Herzik.	Wagstaff.
Holland.	Walker.
Howsley.	Warwick.
Hubbard.	Weinert.
Hughes.	West of Coryell.
Jackson.	Wiggs.
Johnson	Wyatt.
of Dallam.	

Nays—4.

Baker.	Leonard.
Hill.	Pope.

Present—Not Voting.

Fisher.

Absent.

Adams of Harris.	Lee.
Anderson.	Long.
Bradley.	Martin.
Cunningham.	Mehl.
Dunlap.	Metcalf.
Duvall.	Moffett.
Hardy.	Nicholson.
Harrison	Petsch.
of El Paso.	Ray.
Harrison	Reader.
of Waller.	Rountree.
Hatchitt.	Savage.
Hines.	Shelton.
Hoskins.	West of Cameron.
Jones of Atascosa.	Westbrook.
Lasseter.	Young.

Absent—Excused.

Claunch.	Holloway.
Engelhard.	Lockhart.
Ferguson.	Rogers.
Hefley.	Terrell
Holder.	of Cherokee.

BILLS SIGNED BY THE
SPEAKER.

The Speaker signed, in the presence of the House, after giving due notice thereof and their captions had been read severally, the following enrolled bills:

H. B. No. 417, "An Act to amend Article 1536, Revised Statutes of 1925, prescribing penalties for the transaction of business by foreign corporations in this State without obtaining a permit to do business in Texas, and declaring an emergency."

H. B. No. 349, "An Act fixing the salary of the county superintendent of public instruction in a certain class of counties classified according to population, said salary to be paid in the same manner and out of the same funds as provided for county superintendents under the laws of this State, and declaring an emergency."

H. B. No. 87, "An Act providing that whenever any person shall procure the issuance of a policy of insurance on his or her life in any legal reserve life insurance company, and designate in writing filed with the company the beneficiary to receive the proceeds thereof, the company issuing such policy shall, in the absence of the receipt by it of notice of an adverse claim to the proceeds of the policy from one having a bona fide legal claim to such proceeds, or a part thereof, pay such proceeds becoming due on the death of the insured to the person so designated as

beneficiary, and such payment so made, in the absence of such notice received by the insurance company prior to the date of the payment of the proceeds, shall discharge the company from all liability under the policy; providing, that the provisions of this act shall apply to policies in existence, as well as to all policies hereafter written, and declaring an emergency."

H. B. No. 1046, "An Act providing for the employment of rural school supervisors in certain counties in lieu of teachers' institutes; prescribing the duties of said supervisors; prescribing salaries to be paid such supervisors; providing other things incidental to the purpose of this act, and declaring an emergency."

H. B. No. 905, "An Act requiring the judge of any court in which a defendant is convicted of driving a motor vehicle while under the influence of intoxicating liquor to enter an order prohibiting such person so convicted from driving any motor vehicle for a period of two years; providing that a violation of such order shall be punished as for contempt, and declaring an emergency."

H. B. No. 704, "An Act to provide that no officer or employe of the State of Texas, any county, city, town or village, or any municipality or political subdivision, using or accepting the benefits of any free pass or franking privilege of any railroad, interurban, motor bus or other transportation line, shall charge or collect from the State, county, city, town, village, municipality or political subdivision, the amount he would have paid had he not used such free pass; fixing penalty, and declaring an emergency."

H. B. No. 356, "An Act to amend Article 4014, Revised Civil Statutes of 1925, which regulates reports required to be made to the Railroad Commission by corporations, companies and persons issuing free transportation, by providing that such report shall be made as and when requested by the Railroad Commission of Texas, and fixing a penalty for violation of the law; repealing all laws in conflict herewith, and declaring an emergency."

HOUSE BILL NO. 1053 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 1053, A bill to be entitled "An Act making an emergency appropriation of money to the State Treasurer; providing the purposes thereof, the means and manner of expenditure, and declaring an emergency."

The bill was read second time, and was passed to engrossment.

HOUSE BILL NO. 1053 ON THIRD READING.

Mr. Sanders moved that the constitutional rule requiring bills to be read on three several days be suspended, and that House bill No. 1053 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—95.

Mr. Speaker.	Johnson
Adams of Jasper.	of Dallam.
Adamson.	Johnson
Adkins.	of Dimmit.
Akin.	Johnson of Morris.
Albritton.	Jones of Atascosa.
Alsup.	Justiss.
Beck.	Keller.
Bedford.	Kennedy.
Bond.	Laird.
Bounds.	Lemens.
Boyd.	Leonard.
Brooks.	Lilley.
Bryant.	Long.
Burns of Walker.	McGregor.
Carpenter.	Magee.
Caven.	Mathis.
Coltrin.	Metcalfe.
Cox of Limestone.	Moffett.
Dale.	Moore.
Daniel.	Munson.
Dodd.	Murphy.
Donnell.	Olsen.
Dowell.	O'Quinn.
Dunlap.	Ratliff.
Elliott.	Richardson.
Farmer.	Rountree.
Farrar.	Sanders.
Forbes.	Satterwhite.
Ford.	Scott.
Fuchs.	Shelton.
Gilbert.	Smith of Bastrop.
Giles.	Sparkman.
Goodman.	Stephens.
Graves.	Steward.
Greathouse.	Strong.
Grogan.	Sullivant.
Hanson.	Tarwater.
Harman.	Terrell
Harrison	of Val Verde.
of Waller.	Towery.
Herzik.	Turner.
Hill.	Van Zandt.
Howsley.	Vaughan.
Hubbard.	Veatch.
Hughes.	Wagstaff.

Walker.	West of Cameron.
Warwick.	Wiggs.
Weinert.	Wyatt.
West of Coryell.	

Nays—13.

Baker.	McCombs.
Cox of Lamar.	McGill.
Davis.	Morse.
Finn.	Patterson.
Fisher.	Pope.
Jackson.	Smith of Wood.
Kayton.	

Absent.

Adams of Harris.	Hoskins.
Anderson.	Jones of Shelby.
Barron.	Lasseter.
Bradley.	Lee.
Brice.	McDougald.
Burns	Martin.
of McCulloch.	Mehl.
Cunningham.	Nicholson.
DeWolfe.	Petsch.
Duvall.	Ramsey.
Dwyer.	Ray.
Hardy.	Reader.
Harrison	Savage.
of El Paso.	Sherrill.
Hatchitt.	Stevenson.
Hines.	Westbrook.
Holland.	Young.

Absent—Excused.

Claunch.	Holloway.
Coombes.	Lockhart.
Engelhard.	Rogers.
Ferguson.	Terrell
Hefley.	of Cherokee.
Holder.	

The Speaker then laid House bill No. 1053 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—93.

Adams of Jasper.	Daniel.
Adamson.	Dodd.
Adkins.	Donnell.
Alsup.	Dowell.
Beck.	Dunlap.
Bedford.	Elliott.
Bond.	Farmer.
Bounds.	Farrar.
Boyd.	Forbes.
Brooks.	Ford.
Bryant.	Fuchs.
Burns of Walker.	Gilbert.
Carpenter.	Giles.
Caven.	Goodman.
Coltrin.	Graves.
Cox of Limestone.	Greathouse.
Dale.	Grogan.

Hanson.	Munson.
Harman.	Murphy.
Harrison	Olsen.
of El Paso.	O'Quinn.
Harrison	Ratliff.
of Waller.	Richardson.
Herzik.	Rountree.
Hill.	Sanders.
Howsley.	Satterwhite.
Hubbard.	Scott.
Hughes.	Shelton.
Johnson	Smith of Bastrop.
of Dallam.	Stephens.
Johnson	Steward.
of Dimmit.	Strong.
Johnson of Morris.	Sullivant.
Jones of Shelby.	Tarwater.
Jones of Atascosa.	Terrell
Justiss.	of Val Verde.
Keller.	Towery.
Kennedy.	Turner.
Laird.	Van Zandt.
Lemens.	Vaughan.
Leonard.	Veatch.
Lilley.	Wagstaff.
McDougald.	Walker.
McGregor.	Warwick.
Magee.	Weinert.
Mathis.	West of Coryell.
Metcalfe.	West of Cameron.
Moffett.	Wiggs.
Moore.	Wyatt.

Nays—15.

Akin.	Kayton.
Albritton.	McCombs.
Baker.	McGill.
Brice.	Morse.
Cox of Lamar.	Patterson.
Davis.	Pope.
Finn.	Smith of Wood.
Jackson.	

Present—Not Voting.

Fisher.

Absent.

Adams of Harris.	Lee.
Anderson.	Long.
Barron.	Martin.
Bradley.	Mehl.
Burns	Nicholson.
of McCulloch.	Petsch.
Cunningham.	Ramsey.
DeWolfe.	Ray.
Duvall.	Reader.
Dwyer.	Savage.
Hardy.	Sherrill.
Hatchitt.	Sparkman.
Hines.	Stevenson.
Holland.	Westbrook.
Hoskins.	Young.
Lasseter.	

Absent—Excused.

Claunch.	Coombes.
----------	----------

Engelhard.	Lockhart.
Ferguson.	Rogers.
Hefley.	Terrell
Holder.	of Cherokee.
Holloway.	

MESSAGE FROM THE SENATE.

Senate Chamber,

Austin, Texas, May 18, 1931.

Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

S. B. No. 527, A bill to be entitled "An Act to create the One Hundred and Twenty-third Judicial District of Texas and to designate the counties constituting said district, and fixing the time for holding court therein; reorganizing the Twenty-second Judicial District of Texas and designating the counties constituting said district and fixing the time for holding court in the various counties of said district; providing that the present judge of said Twenty-second Judicial District of Texas shall be the judge of the One Hundred and Twenty-third Judicial District of Texas and that the present district attorney of the said Twenty-second Judicial District of Texas shall be the district attorney of the one Hundred and Twenty-third Judicial District of Texas until the next general election and until their respective successors shall have been elected and qualified, etc., and declaring an emergency."

S. B. No. 623, A bill to be entitled "An Act making an emergency appropriation of money to the State Treasurer; providing the purposes thereof, the means and manner of expenditure, and declaring an emergency."

Respectfully,

BOB BARKER,
Secretary of the Senate.

HOUSE BILL NO. 838 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 838, A bill to be entitled "An Act making an appropriation for the benefit of Fastril Common School District No. 10, of Cherokee county, on account of recent destruction of the school building by a tornado in said district; directing the manner of expenditure of said money, and declaring an emergency."

The bill was read second time and failed to pass to engrossment.

Mr. Pope moved to reconsider the vote by which the bill failed to pass to engrossment and ask to have the motion to reconsider spread on the Journal.

NOTICE GIVEN.

Mr. Pope gave notice that he would, on tomorrow, call up, for consideration at that time, the motion to reconsider the vote by which House bill No. 838 failed to pass to engrossment, which motion to reconsider was spread on the Journal.

SENATE BILL NO. 415 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 415, A bill to be entitled "An Act to provide two hundred thousand dollars (\$200,000), or as much thereof as may be necessary, of the appropriation made by Acts of the Forty-first Legislature, Third Called Session, Chapter 14, to be used for the payment of tuition of rural high school pupils; repealing all laws in conflict herewith, and declaring an emergency."

The bill was read second time, and was passed to third reading.

SENATE BILL NO. 415 ON THIRD READING.

Mr. Sanders moved that the constitutional rule requiring bills to be read on three several days be suspended, and that Senate bill No. 415 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—101.

Mr. Speaker.	Cox of Lamar.
Adams of Jasper.	Cox of Limestone.
Adkins.	Daniel.
Alsup.	DeWolfe.
Barron.	Donnell.
Bedford.	Dowell.
Bond.	Dunlap.
Bounds.	Elliott.
Boyd.	Farmer.
Brice.	Farrar.
Brooks.	Finn.
Bryant.	Forbes.
Burns of Walker.	Ford.
Carpenter.	Fuchs.
Caven.	Gilbert.
Coltrin.	Giles.

Goodman.	Morse.
Graves.	Munson.
Grogan.	Murphy.
Hanson.	O'Quinn.
Harman.	Patterson.
Harrison	Petsch.
of El Paso.	Ratliff.
Harrison	Ray.
of Waller.	Richardson.
Herzik.	Rountree.
Holland.	Sanders.
Hubbard.	Satterwhite.
Hughes.	Savage.
Jackson.	Shelton.
Johnson	Sherrill.
of Dimmit.	Smith of Wood.
Johnson of Morris.	Sparkman.
Jones of Shelby.	Stephens.
Justiss.	Steward.
Kayton.	Tarwater.
Keller.	Terrell
Kennedy.	of Val Verde.
Laird.	Towery.
Lasseter.	Turner.
Lemens.	Van Zandt.
Leonard.	Vaughan.
Lilley.	Veatch.
Long.	Wagstaff.
McCombs.	Walker.
McDougald.	Warwick.
McGill.	Weinert.
McGregor.	West of Coryell.
Magee.	West of Cameron.
Mathis.	Wiggs.
Metcalf.	Wyatt.
Moffett.	Young.
Moore.	

Nays—9.

Akin.	Hill.
Baker.	Jones of Atascosa.
Dodd.	Pope.
Fisher.	Strong.
Greathouse.	

Absent.

Adams of Harris.	Hoskins.
Adamson.	Howesley.
Albritton.	Johnson
Anderson.	of Dallam.
Beck.	Lee.
Bradley.	Martin.
Burns	Mehl.
of McCulloch.	Nicholson.
Cunningham.	Olsen.
Dale.	Ramsey.
Davis.	Reader.
Duvall.	Scott.
Dwyer.	Smith of Bastrop.
Hardy.	Stevenson.
Hatchitt.	Sullivant.
Hines.	Westbrook.

Absent—Excused.

Claunch.	Coombes.
----------	----------

Engelhard.	Lockhart.
Ferguson.	Rogers.
Hefley.	Terrell
Holder.	of Cherokee.
Holloway.	

The Speaker then laid Senate bill No. 415 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—97.

Mr. Speaker.	Jones of Shelby.
Adams of Jasper.	Justiss.
Adkins.	Kayton.
Alsup.	Keller.
Barron.	Kennedy.
Beck.	Laird.
Bedford.	Lasseter.
Bond.	Lemens.
Bounds.	Lilley.
Brice.	Long.
Brooks.	McCombs.
Bryant.	McDougald.
Burns of Walker.	McGill.
Carpenter.	McGregor.
Caven.	Magee.
Coltrin.	Mathis.
Cox of Lamar.	Metcalfe.
Daniel.	Moffett.
Davis.	Moore.
DeWolfe.	Morse.
Dodd.	Munson.
Donnell.	Murphy.
Dunlap.	Patterson.
Elliott.	Petsch.
Farmer.	Ratliff.
Farrar.	Ray.
Finn.	Rountree.
Forbes.	Sanders.
Ford.	Satterwhite.
Fuchs.	Savage.
Gilbert.	Scott.
Giles.	Shelton.
Goodman.	Smith of Wood.
Graves.	Stephens.
Greathouse.	Steward.
Grogan.	Sullivant.
Hanson.	Tarwater.
Harman.	Towery.
Harrison	Turner.
of El Paso.	Van Zandt.
Harrison	Vaughan.
of Waller.	Veatch.
Herzik.	Wagstaff.
Holland.	Warwick.
Howsley.	Weinert.
Hubbard.	West of Coryell.
Hughes.	West of Cameron.
Johnson	Wiggs.
of Dimmit.	Wyatt.
Johnson of Morris.	Young.

Nays—10.

Akin.	Baker.
-------	--------

Boyd.	Jones of Atascosa.
Cox of Limestone.	Pope.
Fisher.	Strong.
Hill.	Walker.

Absent.

Adams of Harris.	Lee.
Adamson.	Leonard.
Albritton.	Martin.
Anderson.	Mehl.
Bradley.	Nicholson.
Burns	Olsen.
of McCulloch.	O'Quinn.
Cunningham.	Ramsey.
Dale.	Reader.
Dowell.	Richardson.
Duvall.	Sherrill.
Dwyer.	Smith of Bastrop.
Hardy.	Sparkman.
Hatchitt.	Stevenson.
Hines.	Terrell
Hoskins.	of Val Verde.
Jackson.	Westbrook.
Johnson of Dallam.	

Absent—Excused.

Claunch.	Holloway.
Coombes.	Lockhart.
Engelhard.	Rogers.
Ferguson.	Terrell
Hefley.	of Cherokee.
Holder.	

HOUSE BILL NO. 803 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 803, A bill to be entitled "An Act directing the Treasurer of the State of Texas to pay to Henry W. Baylor, William F. Hardeman, George W. Baylor, Charles W. McFaddin, Oscar D. Baker, George S. Stockley, Sidney J. Baylor, Leon Heard, Wyatt Heard, James Whitecotton, Mrs. Mittie A. Smith, Mrs. Alexander Wilkerson, Mrs. John H. Affleck and Mrs. Sarah Cunningham, each, the sum of \$360, said persons being members or the surviving wives of deceased members of the Montel Guards, officially designated as Company 'G,' First Texas Cavalry, etc., and declaring an emergency."

The bill was read third time.

Mr. Bond raised a point of order on further consideration of the bill on the ground that the bill is unconstitutional.

The Speaker overruled the point of order.

House bill No. 803 was then passed.

Mr. Vaughan moved to reconsider the vote by which the bill was passed.

Mr. Metcalfe called up the motion to reconsider, and moved to table the motion.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table was lost by the following vote:

Yeas—46.

Mr. Speaker.	McCombs.
Adams of Jasper.	McDougald.
Baker.	McGill.
Beck.	Metcalfe.
Boyd.	Moore.
Brooks.	Morse.
Carpenter.	Munson.
Caven.	Murphy.
Donnell.	O'Quinn.
Dunlap.	Patterson.
Forbes.	Ratliff.
Ford.	Ray.
Herzik.	Rountree.
Hill.	Sanders.
Howsley.	Shelton.
Hubbard.	Sherrill.
Hughes.	Smith of Wood.
Johnson	Steward.
of Dimmit.	Terrell
Johnson of Morris.	of Val Verde.
Jones of Shelby.	Wagstaff.
Justiss.	Warwick.
Keller.	West of Coryell.
Laird.	West of Cameron.

Nays—62.

Adamson.	Goodman.
Adkins.	Graves.
Akin.	Greathouse.
Albritton.	Grogan.
Alsup.	Hanson.
Barron.	Harman.
Bedford.	Harrison
Bond.	of El Paso.
Bounds.	Harrison
Brice.	of Waller.
Bryant.	Holland.
Burns of Walker.	Jones of Atascosa.
Coltrin.	Kayton.
Cox of Lamar.	Kennedy.
Cox of Limestone.	Lemens.
Daniel.	Lilley.
DeWolfe.	Long.
Dodd.	McGregor.
Dowell.	Mathis.
Elliott.	Moffett.
Farmer.	Petsch.
Farrar.	Satterwhite.
Finn.	Scott.
Fisher.	Sparkman.
Fuchs.	Stephens.
Gilbert.	Stevenson.
Giles.	Sullivant.

Tarwater.	Veatch.
Towery.	Walker.
Turner.	Weinert.
Van Zandt.	Wiggs.
Vaughan.	Wyatt.

Absent.

Adams of Harris.	Lasseter.
Anderson.	Lee.
Bradley.	Leonard.
Burns	Magee.
of McCulloch.	Martin.
Cunningham.	Mehl.
Dale.	Nicholson.
Davis.	Olsen.
Duvall.	Pope.
Dwyer.	Ramsey.
Hardy.	Reader.
Hatchitt.	Richardson.
Hines.	Savage.
Hoskins.	Smith of Bastrop.
Jackson.	Strong.
Johnson	Westbrook.
of Dallam.	Young.

Absent—Excused.

Claunch.	Holloway.
Coombes.	Lockhart.
Engelhard.	Rogers.
Ferguson.	Terrell
Hefley.	of Cherokee.
Holder.	

SENATE BILLS ON FIRST READING.

The following Senate bills, received from the Senate today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

Senate bill No. 527, to the Committee on Appropriations.

Senate bill No. 623, to the Committee on Appropriations.

AUTHORIZING CERTAIN CORRECTION IN HOUSE BILL NO. 375.

Mr. Johnson of Dimmit offered the following resolution:

H. C. R. No. 69, Relative to correcting certain bill.

Whereas, House bill No. 375 which has passed the House and Senate is an Act to amend Sections 1 and 2 of Chapter 304 of the Acts of the Regular Session of the Forty-first Legislature of the State of Texas;

Whereas, The following explanatory words were inadvertently omitted at the beginning of Section 2, after

the word and figure "Section 2," which explanatory words omitted are as follows:

"Section 2 of Chapter 304 of the Acts of the Forty-first Legislature of the State of Texas shall be amended so as to hereafter read as follows:

"Section 2."

Now, therefore, be it

Resolved by the House of Representatives, the Senate concurring, That the Enrolling Clerk of the House be authorized and directed to make the correction in House bill No. 375 above indicated.

The resolution was read second time, and was adopted.

RELATIVE TO HOUSE BILL NO. 514.

Mr. Turner asked unanimous consent that House bill No. 514 be set as a special order for 11 o'clock a. m. tomorrow.

There was no objection offered.

RECESS.

Mr. Patterson moved that the House recess to 8 o'clock p. m. today.

Mr. Mathis moved that the House recess to 7:45 o'clock p. m. today.

The motion of Mr. Mathis prevailed and the House, accordingly, at 6:30 o'clock p. m. took recess to 7:45 o'clock p. m. today.

NIGHT SESSION.

The House met at 7:45 o'clock p. m., and was called to order by the Speaker.

COMMITTEE TO ARRANGE FOR PRESENTATION OF BUST OF GEORGE WASHINGTON.

The Speaker announced the appointment of the following committee on the part of the House to escort Hon. Ross Sterling, Governor, and Hon. J. P. Buchanan, Congressman, to the Speaker's stand: Messrs. Mathis, Fuchs, Elliott, McGregor, Dowell, Shelton, Smith of Bastrop, Graves, Giles, Goodman, Herzik, Jones of Shelby, Finn and Brooks.

PRESENTATION OF BUST OF GEORGE WASHINGTON.

In accordance with a resolution heretofore adopted, providing for a

joint session of the House and Senate for the purpose of presenting a bust of George Washington to Governor Ross Sterling, in commemoration of the 200th anniversary of the birth of George Washington, the Honorable Senate, escorted by Hon. Carl C. Hardin, President Protempore of the Senate, and Hon. Bob Barker, Secretary of the Senate, appeared at the bar of the House, and being admitted, were escorted to seats prepared for them along the aisle.

Hon. Ross Sterling, Governor, accompanied by Congressman J. P. Buchanan and committee on the part of the House and Senate, appeared at the bar of the House, and being admitted, occupied seats on the Speaker's stand.

Senator Carl C. Hardin occupied a seat on the right of the Speaker, and called the Senate to order.

Speaker Minor called the House to order and stated that the two houses were in joint session for the purpose of presenting the bust of George Washington to Hon. Ross Sterling, Governor of Texas.

Speaker Minor presented the Hon. John Mathis of Harris county, who in turn introduced Congressman James P. Buchanan.

Mr. Buchanan then addressed the joint session and presented the bust of George Washington to Governor Ross Sterling.

Governor Sterling addressed the joint session and on behalf of the State of Texas accepted the bust of George Washington.

MOTION TO TAKE UP SENATE BILL NO. 317.

Mr. Stevenson moved that the regular order of business be suspended to take up and have placed on its second reading and passage to third reading,

S. B. No. 317, A bill to be entitled "An Act to further regulate the business of insurance in order that rates of premium may be reasonable, and to provide the maximum rates of commission or other compensation, or other thing of value, which may be paid, directly or indirectly, to its local agents by insurance carriers in this State as applied to motor vehicle insurance of various classes, and declaring an emergency."

Question—Shall the motion to take up the bill prevail?

RECESS.

On motion of Mr. Anderson, the House, at 8:50 o'clock p. m., took recess to 9 o'clock a. m. tomorrow.

APPENDIX.

STANDING COMMITTEE REPORTS.

The following committees have filed favorable reports on bills, as follows:

Games and Fisheries: House bill No. 1056, Senate bills Nos. 507 and 592.

Conservation and Reclamation: Senate bill No. 625.

Education: Senate bill No. 627.

Counties: House bills Nos. 1058 and 1059.

Constitutional Amendments: Senate joint resolutions Nos. 9, 10, 11 and 12; House joint resolution No. 40.

Appropriations: Senate bill No. 583, House bill No. 578.

Judicial Districts: House bill No. 911.

REPORTS OF THE COMMITTEE ON ENGROSSED BILLS.

Committee Room,
Austin, Texas, May 16, 1931.

Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 768, A bill to be entitled "An Act creating and providing a uniform budget system for the State and all counties, cities, towns, villages, independent school districts, rural high school districts and common school districts; amending Articles 688 and 689, Chapter 6, Title 20, of the Revised Civil Statutes of Texas for the year 1925, etc., and declaring an emergency,"

Have carefully compared same and find it correctly engrossed.

JUSTISS, Chairman.

Committee Room,
Austin, Texas, May 18, 1931.

Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 61, A bill to be entitled "An Act validating the surveys of

all lands heretofore or hereafter made and returned to the General Land Office, vesting the title to lands included within the lines of said surveys, as returned to the General Land Office, in the parties for which same were made, their heirs, successors and assigns creating rules of evidence to protect the title to such surveys, etc., and declaring an emergency,"

Have carefully compared same and find it correctly engrossed.

JUSTISS, Chairman.

Committee Room,
Austin, Texas, May 18, 1931.

Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 805, A bill to be entitled "An Act making appropriations to pay miscellaneous claims against the State of Texas, and authorizing payment of said miscellaneous items to taking effect of this act, and declaring an emergency,"

Have carefully compared same and find it correctly engrossed.

JUSTISS, Chairman.

REPORTS OF THE COMMITTEE ON ENROLLED BILLS.

Committee Room,
Austin, Texas, May 18, 1931.

Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 58, Providing for committee to investigate State departments so as to determine the advisability of consolidating certain departments,

Have carefully compared same and find it correctly enrolled.

COX of Lamar, Chairman.

Committee Room,
Austin, Texas, May 16, 1931.

Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 64, Relative to amending caption of certain House bill,

Have carefully compared same and find it correctly enrolled.

COX of Lamar, Chairman.

Committee Room,
Austin, Texas, May 18, 1931.
Hon. Fred H. Minor, Speaker of the
House of Representatives.

Sir: Your Committee on Enrolled
Bills, to whom was referred

H. B. No. 353, "An Act to amend
Article 1811, Revised Civil Statutes
of 1925, so as to provide for the ap-
pointment by the Court of Criminal
Appeals of the State Prosecuting At-
torney before said court; prescribing
the duties, qualifications and term of
office of said attorney; transferring
all the duties and matters now pro-
vided by law for the 'Assistant State
Prosecuting Attorney' to the State
Prosecuting Attorney, and declaring
an emergency,"

Have carefully compared same and
find it correctly enrolled.

COX of Lamar, Chairman.

Committee Room,
Austin, Texas, May 18, 1931.
Hon. Fred H. Minor, Speaker of the
House of Representatives.

Sir: Your Committee on Enrolled
Bills, to whom was referred

H. B. No. 440, "An Act to amend
Article 7272, of Chapter 8, Title 122,
of the Revised Civil Statutes of 1925,
relating to liability of property for
taxes, so as to provide that a person
may pay on a part of the property
assessed without being required to
pay on all of the property assessed;
repealing all laws and parts of laws
in conflict herewith, and declaring an
emergency,"

Have carefully compared same and
find it correctly enrolled.

COX of Lamar, Chairman.

Committee Room,
Austin, Texas, May 18, 1931.
Hon. Fred H. Minor, Speaker of the
House of Representatives.

Sir: Your Committee on Enrolled
Bills, to whom was referred

H. B. No. 550, "An Act amending
Articles 463, 1034, 1035, and Sections
2, 3, 4 and 5 of Article 1036, Code of
Criminal Procedure, 1925, relating to
the issuance of subpoenas in felony
cases pending in district or criminal
district courts of this State; providing
for the approval and payment of per
diem and mileage fees of witnesses in
attending district and criminal dis-
trict courts in certain cases; provid-
ing for the making, approval and pay-

ment of accounts, to be paid by the
State, of county, district and criminal
district attorneys, sheriffs and district
clerks in felony cases and prescribing
the procedure with reference thereto,
and declaring an emergency,"

Have carefully compared same and
find it correctly enrolled.

BOUNDS, Vice-Chairman.

Committee Room,
Austin, Texas, May 18, 1931.
Hon. Fred H. Minor, Speaker of the
House of Representatives.

Sir: Your Committee on Enrolled
Bills, to whom was referred

H. B. No. 120, "An Act to amend
Articles 2237, 2238 and 2239 of the
1925 Revised Civil Statutes of Texas,
by providing that where the ruling of
the court upon the admission or ex-
clusion of evidence is shown by the
transcript or statement of facts, and
where the objections and exceptions
are likewise shown no formal bill of
exception shall be necessary, and by
providing another method for the
preparation of statement of facts and
bills of exception, cumulative of the
method now provided by law, provid-
ing that the costs of the stenogra-
pher's transcript shall be taxed
against the losing party, and further
providing that certain original docu-
mentary evidence may be sent up to
the Appellate Court on appeal, fur-
ther providing that a statement of
facts may be in question and answer
form as well as in narrative form,
and that objections to the admission
or exclusion of evidence shown by the
stenographer's report together with
the ruling of the court and exceptions
thereto shall be regarded and con-
sidered as separate and complete bills
of exception by the Appellate Court,
repealing all laws in conflict herewith,
and declaring an emergency,"

Have carefully compared same and
find it correctly enrolled.

COX of Lamar, Chairman.

Committee Room,
Austin, Texas, May 18, 1931.
Hon. Fred H. Minor, Speaker of the
House of Representatives.

Sir: Your Committee on Enrolled
Bills, to whom was referred

H. B. No. 1015, "An Act to amend
Articles 1740 and 1741 of the Revised
Civil Statutes of Texas of 1925, and
declaring an emergency,"

Have carefully compared same and find it correctly enrolled.

COX of Lamar, Chairman.

Committee Room,
Austin, Texas, May 18, 1931.

Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 417, "An Act to amend Article 1536, Revised Statutes, 1925, prescribing penalties for the transaction of business by foreign corporations in this State without obtaining a permit to do business in Texas, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled.

COX of Lamar, Chairman.

Committee Room,
Austin, Texas, May 18, 1931.

Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 87, "An Act providing that whenever any person shall procure the issuance of a policy of insurance on his or her life in any legal reserve life insurance company, and designate in writing filed with the company the beneficiary to receive the proceeds thereof, the company issuing such policy shall, in the absence of the receipt by it or notice of an adverse claim to the proceeds of the policy from one having a bona fide legal claim to such proceeds or a part thereof, pay such proceeds becoming due on the death of the insured to the person so designated as beneficiary, and such payment so made, in the absence of such notice received by the insurance company prior to the date of the payment of the proceeds, shall discharge the company from all liability under the policy; providing that the provisions of this act shall apply to policies in existence, as well as to all policies hereafter written, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled.

COX of Lamar, Chairman.

Committee Room,
Austin, Texas, May 18, 1931.

Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 905, "An Act requiring the judge of any court in which a defendant is convicted of driving a motor vehicle while under the influence of intoxicating liquor or narcotics to enter an order prohibiting such person so convicted from driving any motor vehicle for a period of time found by the jury not to exceed two years; providing that a violation of such order shall be punished as for contempt, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled.

COX of Lamar, Chairman.

Committee Room,
Austin, Texas, May 18, 1931.

Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 704, "An Act to provide that no officer or employe of the State of Texas, any county, city, town or village, or any municipality or political subdivision, using or accepting the benefits of any free pass or franking privilege of any railroad, interurban, motor bus or other transportation line, shall charge or collect from the State, county, city, town, village, municipality or political subdivision, the amount he would have paid had he not used such free pass; fixing penalty, and declaring an emergency."

Have carefully compared same and find it correctly enrolled.

COX of Lamar, Chairman.

Committee Room,
Austin, Texas, May 18, 1931.

Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 1022, "An Act amending Article 879 of the Penal Code of Texas, 1925, as amended by Chapter 215, Acts of Fortieth Legislature, by amending Article 879e created by said Chapter 215, so as to fix an open season for hunting, taking or killing wild ducks, wild geese, wild brant, wild snipe, wild gallinules, wild coot or mud hen, conforming to Federal laws, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled.

COX of Lamar, Chairman.

Committee Room,

Austin, Texas, May 18, 1931.

Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 356, "An Act to amend Article 4014, Revised Civil Statutes of 1925, which regulates reports required to be made to the Railroad Commission by corporations, companies and persons issuing free transportation, by providing that report shall be made as and when requested by the Railroad Commission of Texas, and fixing a penalty for violation of the law; repealing all laws in conflict therewith, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled.

COX of Lamar, Chairman.

Committee Room,

Austin, Texas, May 18, 1931.

Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 1026, "An Act fixing the venue of suits brought on policies issued and contracts made by fraternal benefit societies and/or State-wide mutual assessment companies, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled.

COX of Lamar, Chairman.

Committee Room,

Austin, Texas, May 18, 1931.

Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 349, "An Act fixing the salary of the county superintendent of public instruction in a certain class of counties classified according to population, said salary to be paid in the same manner and out of the same funds as provided for county superintendent under the laws of this State, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled.

COX of Lamar, Chairman.

Committee Room,

Austin, Texas, May 18, 1931.

Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 1046, "An Act providing for the employment of rural school supervisors in certain counties in lieu of teachers' institutes; prescribing the duties of said supervisors; prescribing salaries to be paid such supervisors; providing other things incidental to the purposes of this act, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled.

COX of Lamar, Chairman.

Committee Room,

Austin, Texas, May 18, 1931.

Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 504, "An Act to amend Article 3943 of the 1925 Revised Civil Statutes of the State of Texas, which article relates to the fees of office of county treasurers, providing for more adequate compensation for such treasurers in certain counties, providing for assistants for such treasurers, fixing a maximum of compensation for such assistants, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled.

COX of Lamar, Chairman.

Committee Room,

Austin, Texas, May 18, 1931.

Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 1025, "An Act authorizing and directing the Commissioner of the General Land Office to convey, by proper instrument, all the right, title and interest of the State of Texas, in and to, four (4) certain described tracts of land, situated in Kerr county, Texas, to designated persons, said tracts having heretofore been donated to the State for park purposes, but no improvement made thereon, and reciting a failure of consideration, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled.

COX of Lamar, Chairman.

Committee Room,

Austin, Texas, May 18, 1931.

Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 1028, "An Act authorizing the commissioners courts of counties having not less than thirty-six hundred and ninety (3690) and not more than four thousand (4000) inhabitants according to the last available Federal census, to appropriate and expend a sum not exceeding seventy-five hundred dollars (\$7500) to be used over a period of five (5) years for exterminating predatory animals, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled.

COX of Lamar, Chairman.

Committee Room,
Austin, Texas, May 18, 1931.

Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 1048, "An Act authorizing the appointment of an investigator in Tom Green county, Texas, by the district attorney of the Fifty-first Judicial District; fixing the compensation of such investigator and the amount of expenses allowed him, and providing a method for the payment thereof; repealing House bill No. 43 of the Acts of the Regular Session of the Forty-second Legislature, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled.

COX of Lamar, Chairman.

FIFTY-SEVENTH DAY.

(Continued.)

(Tuesday, May 19, 1931.)

The House met at 9 o'clock a. m., and was called to order by Speaker Minor.

RELATIVE TO HOUSE BILL NO. 803.

The Speaker laid before the House, as pending business, the motion by Mr. Vaughan to reconsider the vote by which House bill No. 803, relative to paying certain claims, etc., was passed.

Mr. Kayton moved the previous question on the pending motion, and the main question was ordered.

Question recurring on the motion by Mr. Vaughan to reconsider the vote, it was lost by the following vote:

Yeas—43.

Adamson.	Finn.
Adkins.	Fisher.
Akin.	Fuchs.
Albritton.	Gilbert.
Alsup.	Giles.
Anderson.	Goodman.
Beck.	Greathouse.
Bond.	Hanson.
Bounds.	Harman.
Brice.	Kayton.
Brooks.	Kennedy.
Burns of Walker.	McCombs.
Burns	McGregor.
of McCulloch.	Mathis.
Coltrin.	Moffett.
Coombes.	Olsen.
Cox of Lamar.	Richardson.
Cox of Limestone.	Rogers.
Dale.	Stephens.
DeWolfe.	Vaughan.
Dodd.	Weinert.
Farrar.	Wiggs.

Nays—70.

Adams of Harris.	McDougald.
Adams of Jasper.	McGill.
Baker.	Martin.
Bedford.	Moore.
Boyd.	Morse.
Bryant.	Munson.
Carpenter.	Murphy.
Donnell.	Nicholson.
Dowell.	O'Quinn.
Dwyer.	Patterson.
Engelhard.	Ratliff.
Farmer.	Ray.
Forbes.	Reader.
Ford.	Rountree.
Hardy.	Sanders.
Harrison	Satterwhite.
of El Paso.	Shelton.
Hatchitt.	Smith of Bastrop.
Herzik.	Smith of Wood.
Hill.	Sparkman.
Hines.	Steward.
Holder.	Strong.
Holland.	Sullivant.
Howsley.	Tarwater.
Hubbard.	Terrell
Hughes.	of Val Verde.
Jackson.	Towery.
Johnson	Turner.
of Dimmit.	Veatch.
Johnson of Morris.	Wagstaff.
Jones of Shelby.	Walker.
Jones of Atascosa.	Warwick.
Justiss.	West of Coryell.
Keller.	West of Cameron.
Laird.	Wyatt.
Lee.	Young.
Lemens.	

Absent.

Barron.	Cunningham.
Caven.	Daniel.